Carolyn G. Goodman, Mayor (At-Large)
Michele Fiore, Mayor Pro Tem (Ward 6)
Brian Knudsen (Ward 1)
Victoria Seaman (Ward 2)
Olivia Diaz (Ward 3)
Stavros S. Anthony (Ward 4)
Cedric Crear (Ward 5)

City Manager Scott Adams
City Attorney Bradford R. Jerbic
City Clerk LuAnn D. Holmes

City Council Agenda

Council Chambers · 495 South Main Street · Phone 702-229-6011
City of Las Vegas Internet Address: www.lasvegasnevada.gov

Facilities are provided throughout City Hall for convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. Reasonable efforts will be made to assist and accommodate persons with disabilities or impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 702-229-6311 and advise of your need at least 48 hours in advance of the meeting. Dial 7-1-1 for Relay Nevada.

July 17, 2019
9:00 AM
A lunch break may be taken at the discretion of the Mayor.

Items listed on the agenda may be taken out of the order presented; two or more agenda items for consideration may be combined; and any item on the agenda may be removed or related discussion may be delayed at any time. Backup material for this agenda may be obtained from LuAnn D. Holmes, City Clerk, at the City Clerk's Office at 495 South Main Street, 2nd Floor or on the City's webpage at www.lasvegasnevada.gov.

The Mayor and City Council welcome your attendance, public comment related to the items on the agenda and citizen participation on items under the jurisdiction of the City Council at this meeting. If you wish to speak, we respectfully ask you to complete and submit a speaker card to the City Clerk. Cards are available online, in the Clerk's Office or at the front of the Chambers as you enter.

These proceedings are being video recorded as well as presented live on KCLV, Cable Channel 2, and are Closed Captioned for our hearing impaired viewers. Please note customers of Centurylink and Cox Communications can view this program in High Definition on Channel 1002. You can also watch this meeting live on Apple TV, Roku and Amazon Fire TV on the Go-Vegas app. The Council Meeting, as well as all other KCLV programming, can be viewed on the internet at www.kclv.tv/live. The proceedings will be rebroadcast on KCLV Channel 2 and the web the Wednesday of the meeting at 8:00 PM, and also on Friday at 4:00 AM, Saturday at 7:00 PM, Sunday at 7:00 AM and the following Monday at 5:00 PM.

Note: Cellular phones are to be turned off during the Council Meeting.

CEREMONIAL MATTERS

1. Call to Order
2. Announcement Regarding: Compliance with Open Meeting Law
3. Invocation - Pastor Brett Capaci, Shadow Hills Church
4. Pledge of Allegiance

5. Recognition of the Citizen of the Month

6. Recognition of the Employee of the Month

7. Recognition of Collector Car Appreciation Day

8. Recognition of Alpha Phi Alpha Fraternity Incorporated's 95th General Convention

BUSINESS ITEMS - 9 A.M. SESSION

PUBLIC COMMENT

9. Public comment during this portion of the Agenda must be limited to matters on the Agenda for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion, as well as the amount of time any single speaker is allowed, may be limited.

BUSINESS ITEMS - 9 A.M. Session

10. For Possible Action - Any items from the 9 A.M. session that the Council, staff and/or the applicant wish to be stricken, tabled, withdrawn or held in abeyance to a future meeting may be brought forward and acted upon at this time.

11. For possible action to approve the Final Minutes by reference of the June 5 and 19, 2019 Regular City Council Meetings

CONSENT AGENDA

Matters listed on the Consent Agenda are considered to be routine and have been recommended for approval by the Submitting Departments. All items on the Consent Agenda may be approved in a single motion. However, if a Council Member so requests, any consent item may be moved to the discussion portion of the agenda and other action, including postponement or denial of the item, may take place.

CITY ATTORNEY - CONSENT

12. For possible action to approve continued funding for McDonald Carano to represent the City of Las Vegas in an action filed against it by 180 Land Company, LLC, Case No. A-17-758528-J, in the Eighth Judicial District Court concerning the denial of several land use applications for the development of a portion of the former Badlands Golf Course for an amount not to exceed $100,000 (General Fund) - Ward 2 (Seaman)

COMMUNITY SERVICES - CONSENT

13. For possible action to approve the allocation of $315,769.52 of Low Income Housing Trust Funds to Accessible Space Inc. for the rehabilitation of Ruby Duncan Manor Affordable Senior Housing, located at 500 West Owens Avenue - Ward 5 (Crear)

14. For possible action to approve an agreement between City of Las Vegas and Veterans Village 4 LLC for the master lease of 10 rental units, located at 2512 Fremont Street, to serve as bridge and/or transitional housing for homeless individuals in the City of Las Vegas ($101,000 - General Fund/Redevelopment Set-Aside) - Ward 3 (Diaz)

15. For possible action to approve an agreement between City of Las Vegas and Women's Development Center (a nonprofit organization) for the master lease of 15 scattered rental units to serve as bridge and/or transitional housing for homeless individuals in the City of Las Vegas ($125,499 - General Fund/Redevelopment Set-Aside) - All Wards

ECONOMIC AND URBAN DEVELOPMENT - CONSENT

16. For possible action to approve an Amended and Restated Parking License Agreement between FAEC Holdings Wirrulla, LLC and the City of Las Vegas (City) regarding the structured parking garage beneath the retail development commonly known as Neonopolis located at 450 Fremont Street (APN 139-34-513-003) - Ward 5 (Crear)

FINANCE - PURCHASING AND CONTRACTS - CONSENT

17. For possible action to approve an increase to Purchase Order No. 388718 to increase the Construction Conflicts and Contingency Reserve for Contract No. 17.60005-JL, Symphony Park Parcels B and L, which are generally bounded by Symphony Park Avenue to the north, Union Pacific Railway to the east, West Clark Avenue to the south, and South Grand Central Parkway to the west - Department of Public Works - Award recommended to: THE WHITING-TURNER CONTRACTING COMPANY ($800,000 - General Capital Projects Fund) - Ward 5 (Crear)

18. For possible action to approve award of Amendment No. 4 to Contract No. 170126-JH, Professional Services Contract for Form-Based Code to Implement Downtown Master Plan - Department of Planning - Award recommended to: LISA WISE CONSULTING, INC. ($101,780 - General Capital Projects Fund) - Wards 1, 3 and 5 (Knudsen, Diaz and Crear)

19. For possible action to approve award of Contract No. 190335-JH, Blanket Services Agreement for Architectural Consulting Services - Department of Public Works - Award recommended to: GEORGE M. ROGERS CHARTERED dba GEORGE M. ROGERS, ARCHITECT (Not-to-Exceed $150,000 Annually - Various Funds) - All Wards

LEGISLATIVE AFFAIRS - CONSENT

20. For possible action to approve the ratification of Dorian Stonebarger in a Council support position as a Special Assistant to Council in the Ward 1 office ($63,203 annual salary + Benefits - General Fund) - Ward 1 (Knudsen)

21. For possible action to approve the ratification of Bryan Baltazar in a Council support position as a Special Assistant to Council in the Ward 2 office ($63,203 annual salary + Benefits - General Fund) - Ward 2 (Seaman)

22. For possible action to approve the ratification of David McGowan in a Council support position as a Special Assistant to Council in the Ward 2 office ($66,995 annual salary + Benefits - General Fund) - Ward 2 (Seaman)

OPERATIONS AND MAINTENANCE - CONSENT

23. For possible action to approve an Interlocal Agreement between the City of Las Vegas and the Las Vegas Redevelopment Agency for the Lease of the Fifth Street School, located at 401 South 4th Street - Ward 3 (Diaz) [NOTE: This item is related to Redevelopment Agency Item 5]

PLANNING - BUSINESS LICENSING - CONSENT

24. For possible action to approve a New Compliance Permit for a Retail Marijuana Store for NEVADA ORGANIC REMEDIES, LLC dba THE SOURCE at 1725 South Rainbow Boulevard, Suite #21 - Ward 1 (Knudsen)

25. For possible action to approve a Marijuana Production Establishment License (Medical/Recreational) for GTI NEVADA, LLC dba GTI NEVADA, LLC at 3130 North Deer Run Road - Carson City, Nevada

26. For possible action to approve a Marijuana Cultivation Establishment License (Medical/Recreational) for HELIOS NV, LLC dba HELIOS NV at 800 Stillwell Avenue, Suite #60 - Reno, Nevada

27. For possible action to approve a Marijuana Cultivation Establishment License (Medical/Recreational) for NLV WELLNESS, LLC dba ETHCX at 41 West Mayflower Avenue - North Las Vegas, Nevada

28. For possible action to approve a Liquor Manufacturer License for 7FIVE BREWING CO, LLC dba 7FIVE BREWING CO, LLC at 1510 South Main Street - Ward 3 (Diaz)

29. For possible action to approve an Ancillary Brew Pub License for ABLE BAKER BREWING COMPANY, LLC dba ABLE BAKER BREWING COMPANY at 1510 South Main Street - Ward 3 (Diaz)

30. For possible action to approve a Beer Wine Room License for ABLE BAKER BREWING COMPANY, LLC dba ABLE BAKER BREWING COMPANY at 1510 South Main Street - Ward 3 (Diaz)

31. For possible action to approve a Package License for a Change of Ownership FROM: STOP N SHOP 5 OPERATOR, LLC TO: TERRIBLE HERBST, INC. dba TERRIBLE'S #383 at 6660 Vegas Drive - Ward 5 (Crear)

32. For possible action to approve a Package License for a Change of Ownership FROM: STOP N SHOP 3 OPERATOR, LLC TO: TERRIBLE HERBST, INC. dba TERRIBLE'S #384 at 7600 Westcliff Drive - Ward 2 (Seaman)

33. For possible action to approve a Temporary Alcoholic Beverage Caterer License for VILLAGE HOSPITALITY FURNISHINGS, INC. dba VILLAGE CATERING at 1214 South Third Street [David Litvak, President, Secretary, Treasurer, Director, Shareholder] - Ward 3 (Diaz)

34. For possible action to approve a Beer/Wine/Cooler On-Sale License for NYREE, LLC dba NAPOLI PIZZERIA at 6121 West Lake Mead Boulevard, Suite #160 [Vahan Balian, Managing Member] - Ward 5 (Crear)

35. For possible action to approve a Beer/Wine/Cooler On-Sale License for M D HWANG, LLC dba KAIZEN REVOLVING SUSHI at 7450 West Lake Mead Boulevard, Suite #2 [Chom Su Hwang, Managing Member] - Ward 4 (Anthony)

36. For possible action to approve a Temporary Beer/Wine/Cooler On-Sale License NEVADA TACO COMPANY, INC. dba SALUD at 2411 West Sahara Avenue - Ward 1 (Knudsen)

37. For possible action to approve a Temporary Beer/Wine/Cooler Off-Sale License for a Change of Ownership FROM: PLATINUM MANAGEMENT GROUP 2, LLC TO: DELIGHTFUL INVESTMENT GROUP, LLC dba DIG MART at 1958 East Charleston Boulevard - Ward 3 (Diaz)

38. For possible action to approve a Beer/Wine/Cooler Off-Sale License for a Change of Ownership FROM: 7-ELEVEN OF NEVADA, INC. TO: S&S FUELS MANAGEMENT IV, LLC dba 7-ELEVEN STORE #29646 at 4235 West Sahara Avenue [Amar Preet Puri, Managing Member] - Ward 1 (Knudsen)

39. For possible action to approve a Beer/Wine/Cooler Off-Sale License for TERRIBLE HERBST, INC. dba HERBST MARKET #371 at 10591 West Lone Mountain Road - Ward 4 (Anthony)

40. For possible action to approve a Restricted Gaming License JETT GAMING, LLC dba JETT GAMING, LLC db at HERBST MARKET #371 at 10591 West Lone Mountain Road - Ward 4 (Anthony)

41. For possible action to approve a Temporary Massage Establishment License NEKO MASSAGE STUDIO, LLC dba NEKO MASSAGE STUDIO at 124 South 6th Street, Suite #170 [Kangcheng Yin, Managing Member] - Ward 3 (Diaz)

PUBLIC WORKS - CONSENT

42. For possible action to approve staff to negotiate and purchase property rights, as well as grant utility easements on City owned property and dedicate right-of-way on portions of City property for the Shadow Lane Improvements - Alta to Charleston project, multiple APN's ($500,000 - Road and Flood Capital Project Fund [CPF]) - Ward 1 (Knudsen)

43. For possible action to approve a right-of-way dedication from Fairfield Loreto LLC to the City of Las Vegas (City), located in the vicinity of Severence Lane and Oso Blanca Road, APN 125-17-301-008 - Ward 6 (Fiore)

44. For possible action to approve Supplemental Interlocal Contract No. 7 - 462g between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase total project funding for engineering design for the Sheep Mountain Parkway, CC215 to Kyle Canyon Road project ($500,000 - Road and Flood Capital Project Fund [CPF]) - Ward 6 (Fiore)

45. For possible action to approve Supplemental Interlocal Contract No. 2 - 1038b between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase total project funding for engineering for the Symphony Park Pedestrian Bridge project ($150,000 - Traffic Improvements Capital Project Fund [CPF]) - Ward 5 (Crear)

46. For possible action to approve Interlocal Contract 1088 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to provide funding for construction for the Bradley Road, Whispering Sands Drive to Grand Teton Drive project ($970,000 - Road and Flood Capital Project Fund [CPF]) - Ward 6 (Fiore) and Clark County

47. For possible action to approve Cooperative Agreement NM315-19-816 between the City of Las Vegas and the State of Nevada Department of Transportation (NDOT) for intersection improvements along the Eastern Avenue Corridor - Ward 3 (Diaz)

RESOLUTIONS - CONSENT

48. R-29-2019 - For possible action to approve a Resolution updating the procedure for filing objections to City ordinances or resolutions which have an impact on business - All Wards

49. R-30-2019 - For possible action to approve a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Office Tenant Incentive Program (OTIP) Agreement between the RDA and Parkway Center, LLC (Owner) located at 100 North City Parkway, Suite 1750 (APN 139-27-410-021), to be in compliance with and in furtherance of the goals and objectives of the RDA - Redevelopment Area Ward 5 (Crear) [NOTE: This item is related to RDA Item 6 (RA-6-2019)]

50. R-31-2019 - For possible action to approve a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the RDA and Ten15 Huntridge, LLC (Owner) located at 1118 East Bonneville Avenue (APN 139-34-801-013), to be in compliance with and in furtherance of the goals and objectives of the RDA - Redevelopment Area Ward 3 (Diaz) [NOTE: This item is related to RDA Item 7 (RA-7-2019)]

DISCUSSION/ACTION ITEMS

ADMINISTRATIVE - DISCUSSION

51. Report from Scott D. Adams, City Manager, on Emerging Issues - All Wards

COMMUNITY SERVICES - DISCUSSION

52. Discussion for possible action regarding the Neighborhood Partners Fund (NPF) Board recommendations to allocate $67,487.47 for 17 neighborhood projects (General Fund) - All Wards

PLANNING - BUSINESS LICENSING - DISCUSSION

53. Discussion for possible action regarding a request for a Massage Establishment License for YAN TANG, HONGFONG WU-LIU dba SAM'S SPA at 6340 West Charleston Boulevard, Suite #130 - Ward 1 (Knudsen)

RESOLUTIONS - DISCUSSION

54. R-32-2019 - Public hearing and discussion for possible action regarding a Resolution establishing an environmental surcharge pertaining to the collection of solid waste and residential recyclables

55. R-33-2019 - Discussion for possible action regarding a Resolution opposing the 24/7 enforcement of high-occupancy vehicle lanes on Interstate 15 and U.S. Route 95 and supporting the return to peak-hour enforcement - All Wards

56. R-34-2019 - Discussion for possible action regarding a Resolution adopting the Downtown Las Vegas Open Space and Trails Plan - Wards 1, 3 and 5 (Knudsen, Diaz and Crear)

BOARDS AND COMMISSIONS - DISCUSSION

57. Discussion for possible action regarding new appointments of Mayor Carolyn Goodman and Councilmembers Michele Fiore, Stavros Anthony, Cedric Crear, Brian Knudsen, Victoria Seaman and Olivia Diaz as representatives on the following boards: Chief Local Elected Officials Consortium (Diaz); City of Las Vegas Audit Oversight Committee (Knudsen and Seaman); Commission for the Las Vegas Centennial (Crear); Debt Management Commission (Seaman); Las Vegas Springs Preserve Board of Trustees (Seaman); Metropolitan Police Committee on Fiscal Affairs (Crear); Nellis Civilian Military Council Executive Board (Fiore as Alternate); Las Vegas Global Economic Alliance (Knudsen); Nevada League of Cities (Knudsen); Oversight Panel for School Facilities (Diaz); Regional Flood Control District Board of Directors (Goodman and Anthony); Regional Transportation Commission Board of Commissioners (Goodman and Anthony); Southern Nevada Enterprise Community Board (Crear); Southern Nevada Health District (Diaz and Knudsen); Southern Nevada Regional Housing Authority (Diaz); Southern Nevada Regional Planning Coalition (Seaman); Southern Nevada Water Authority (Crear) and the Yucca Mountain Nuclear Repository Committee (Seaman)

58. Discussion for possible action regarding the reappointments of Audrey Asselin and Briceida Castro to the Regional Transportation Commission of Southern Nevada (RTC) Advisory Committee on Bus Bench/Shelter Construction and Maintenance

59. Discussion for possible action regarding the reappointment of John Perazzo to the Ward 5 seat of the Senior Citizens Advisory Board

60. Discussion for possible action regarding the appointment of nominee Sigal Chattah to the Ward 2 seat of the Planning Commission

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

61. Bill No. 2019-19 - For possible action - Repeals LVMC 19.10.105, pertaining to the repurposing of certain golf courses and open spaces. Sponsored by: Councilwoman Michele Fiore

62. Bill No. 2019-21 - For possible action - Amends LVMC Chapter 9.38 to establish an additional City procedure for retrieving shopping carts and laundry carts that have been abandoned or used without authorization. Sponsored by: Councilman Cedric Crear

63. Bill No. 2019-22 - For possible action - Amends LVMC Chapter 10.48 to establish prohibitions regarding the attaching of certain items to trees, poles, structures, amenities, walls and fences within or near public rights-of-way, along with associated authority to remove such items. Sponsored by: Councilman Cedric Crear

64. Bill No. 2019-23 - For possible action - Amends LVMC Title 13 to add a new Chapter 60 to authorize the removal and disposition of signs and attention gaining devices that have placed on City property or in public rights-of-way illegally. Sponsored by: Councilman Cedric Crear

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

There is no public comment on these items and no action will be taken by the Council at this meeting, except those items which may be stricken or tabled. Public testimony takes place at the Recommending Committee Meeting held for that purpose.

65. Bill No. 2019-24 - Adopts that certain document entitled "Fifth Amendment and Restatement to the Development Agreement for Skye Canyon Master Planned Community," regarding property generally located at the northwest corner of Grand Teton Drive and Grand Canyon Drive. Proposed by: Robert Summerfield, Director of Planning

66. Bill No. 2019-25 - Adopts that certain document entitled "Amended and Restated Development Agreement for Sunstone Master Planned Community," regarding property generally located at the southwest corner of North Skye Canyon Park Drive and Moccasin Road. Proposed by: Robert Summerfield, Director of Planning

67. Bill No. 2019-26 - Amends LVMC Chapter 6.39 to exempt from licensing and regulation as a nightclub any establishment with a tavern-limited license within the Downtown Entertainment Overlay District, and amends LVMC 6.50.250 to authorize conditions to be imposed on such establishments regarding outdoor patron lines and outdoor speakers. Proposed by: Bradford R. Jerbic, City Attorney

NEW BILLS

There is no public comment on these items and no action will be taken by the Council at this meeting, except those items which may be stricken or tabled. Public testimony takes place at the Recommending Committee Meeting held for that purpose.

68. Bill No. 2019-27 - Grants to Zayo Group, LLC a non-exclusive franchise for the purpose of installing, operating and maintaining a telecommunications service within the City, subject to and in accordance with the terms and conditions of the Franchise Agreement incorporated by reference into this Ordinance. Proposed by: Jorge Cervantes, Chief Operations and Development Officer

CLOSED SESSION

69. Closed Session - A closed meeting is called in accordance with NRS 241.015(3)(b)(2) to receive information from the City Attorney about potential and existing litigation

NOT TO BE HEARD BEFORE 11 A.M. - 70 THROUGH 101

BUSINESS ITEMS - 11 A.M. Session

70. Any items from the 11 A.M. session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time.

HEARINGS - DISCUSSION

71. ABEYANCE ITEM - Public hearing and discussion for possible action to consider a request for a waiver and/or reduction of fees totaling $47,851.10 in out of pocket costs, and $97,500 in civil penalties for a total of $145,351.10 recorded against the property located at 4550 East Van Buren Avenue - PROPERTY OWNER: REALTY DATA GROUP, LLC - Ward 3 (Coffin)

72. Public hearing and discussion for possible action to consider a request for a Wavier and/or reduction of fees totaling $6,501.50 in out of pocket costs and $16,500 in civil penalties for a total of $23,001.50 recorded against the property at 5805 Carl Avenue - PROPERTY OWNER: PARRENO JESUS D DOMINGUEZ - Ward 5 (Crear)

73. Public hearing and discussion for possible action to consider a request for a waiver and/or reduction of fees totaling $6,162.61 in out of pocket costs and $19,500 in civil penalties for a total of $25,662.61 recorded against the property at 1617 Yellow Rose Street - PROPERTY OWNER: MANANDIK ANTHONY MARK JR and GOC-ONG JOAN GARCIA - Ward 5 (Crear)

74. Public hearing and discussion for possible action to consider a request for waiver and/or reduction of fees totaling $5,064 in out of pocket costs and $19,500 in civil penalties for a total of $24,564 recorded against the property at 4995 Irene Avenue - PROPERTY OWNER: CEBALLOS XAVIER & ELISA PULIDO ETAL and BALCARCEL JANETH - Ward 3 (Diaz)

PLANNING

The items listed below, where appropriate, have been reviewed by the various City departments relative to the requirements for storm drainage and flood control, connection to sanitary sewer, traffic circulation, and Building and Fire regulations. Their comments and/or requirements have been incorporated into the action.

PLANNING - ONE MOTION/ONE VOTE

The following are items that may be considered in one motion/one vote. They are considered to routine non-public and public hearing items. All public hearing and non-public hearing items will be opened at one time. Any person

representing an application or a member of the public or a member of the City Council not in agreement with the conditions and all standard conditions for the application recommended by staff, should request to have that item removed from this part of the agenda.

75. MOD-76339 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT/OWNER: KB HOME NV ACQUISITION, LLC - For possible action on a request for a Major Modification of the Town Center Land Use Plan FROM: MC-TC (MONTECITO - TOWN CENTER) TO: UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) on a 2.96 acre portion of 5.19 acres generally located east of Grand Montecito Parkway, on the west side of Doe Brook Trail alignment (Portion of APNs 125-20-603-002 and 004), Ward 6 (Fiore) [PRJ-76273]. The Planning Commission (5-0 vote) and Staff recommend APPROVAL.

76. VAC-76340 - VACATION RELATED TO MOD-76339 - PUBLIC HEARING - APPLICANT/OWNER: KB HOME NV ACQUISITION, LLC - For possible action on a request for a Petition to Vacate public right-of-way, public drainage, public utility and patent easements generally located east of Grand Montecito Parkway, on the west side of Oso Blanca Road (APNs Multiple), Ward 6 (Fiore) [PRJ-76273]. The Planning Commission (5-0 vote) and Staff recommend APPROVAL.

77. RQR-76626 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: HELLFIRE MEDIA, LLC - For a possible action on a Required Review of an approved Special Use Permit (SUP-61802) FOR AN EXISTING 10,248 SQUARE-FOOT MUSEUM, ART DISPLAY, OR ART SALES (PRIVATE) USE at 600 East Charleston Boulevard (APN 162-03-501-001), P-R (Professional Office and Parking) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

PLANNING - DISCUSSION

78. VAR-75819 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Variance TO ALLOW RESIDENTIAL BUILDINGS TO HAVE A HEIGHT OF THREE STORIES WHERE TWO STORIES IS THE MAXIMUM ALLOWED ON LOT ONE OF A TWO LOT PROPOSED RESIDENTIAL SUBDIVISION on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

79. VAR-75820 - ABEYANCE ITEM - VARIANCE RELATED TO VAR-75819 - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Variance TO ALLOW RESIDENTIAL BUILDINGS TO HAVE A HEIGHT OF THREE STORIES WHERE TWO STORIES IS THE MAXIMUM ALLOWED ON LOT TWO OF A TWO LOT PROPOSED RESIDENTIAL SUBDIVISION on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

80. VAR-75821 - ABEYANCE ITEM - VARIANCE RELATED TO VAR-75819 AND VAR-75820 - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Variance TO ALLOW A 47-FOOT WIDE ACCESS CONTROL GATE WHERE 50 FEET IS REQUIRED; TO ALLOW SIDEWALKS ON ONE SIDE WHERE SIDEWALKS ON BOTH SIDES ARE REQUIRED AND TO ALLOW A CONNECTIVITY RATIO OF 1.00 WHERE 1.30 IS REQUIRED on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

81. SDR-75822 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-75819, VAR-75820 AND VAR-75821 - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 18-UNIT RESIDENTIAL SUBDIVISION on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

82. TMP-75823 - ABEYANCE ITEM - TENTATIVE MAP RELATED TO VAR-75819, VAR-75820, VAR-75821 AND SDR-75822 - MONTAGE ESTATES - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Tentative Map FOR A THREE-LOT RESIDENTIAL SUBDIVISION on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

83. SUP-75722 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CWNEVADA - OWNER: L CHAIM 24 FREMONT PROPERTIES, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 3,600 SQUARE-FOOT MARIJUANA DISPENSARY USE in a portion of 2424 South Las Vegas Boulevard (APN 162-04-812-002), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-75666]. The Planning Commission (4-0-2 vote) and Staff recommend APPROVAL.

84. SUP-76080 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: 121 NORTH FOURTH STREET, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 4,433 SQUARE-FOOT MARIJUANA DISPENSARY USE at 121 North 4th Street (APN 139-34-510-029), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-75796]. The Planning Commission (3-1-1 vote) recommends DENIAL. Staff recommends APPROVAL.

85. GPA-75219 - ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST - For possible action on a request for a General Plan Amendment FROM: RNP (RURAL NEIGHBORHOOD PRESERVATION) TO: L (LOW DENSITY RESIDENTIAL) on 5.00 acres at the southwest corner of Centennial Parkway and Jensen Street (APN 125-30-101-006), Ward 6 (Fiore) [PRJ-75024]. The Planning Commission (6-0 vote) and Staff recommend APPROVAL. NOTE: THE REQUEST WAS AMENDED AT PLANNING COMMISSION FROM: RNP (RURAL NEIGHBORHOOD PRESERVATION) TO: R (RURAL)

86. ZON-75220 - ABEYANCE ITEM - REZONING RELATED TO GPA-75219 - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST - For possible action on a request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL) on 5.00 acres at the southwest corner of Centennial Parkway and Jensen Street (APN 125-30-101-006), Ward 6 (Fiore) [PRJ-75024]. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

87. VAR-75221 - ABEYANCE ITEM - VARIANCE RELATED TO GPA-75219 AND ZON-75220 - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST - For possible action on a request for a Variance TO ALLOW A 43-FOOT WIDE PRIVATE STREET WITHOUT A GATE, SIDEWALK ON ONE SIDE WHERE A 47-FOOT WIDE STREET WITH SIDEWALK ON BOTH SIDES IS REQUIRED, AND A CONNECTIVITY RATIO OF 1.0 WHERE 1.30 IS REQUIRED on 5.00 acres at the southwest corner of Centennial Parkway and Jensen Street (APN 125-30-101-006), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 6 (Fiore) [PRJ-75024]. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

88. VAC-75222 - ABEYANCE ITEM - VACATION RELATED TO GPA-75219, ZON-75220 AND VAR-75221 - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST - For possible action on a request for a Petition to Vacate U.S. Government Patent Easements generally located at the southwest corner of Centennial Parkway and Jensen Street (APN 125-30-101-006), Ward 6 (Fiore) [PRJ-75024]. The Planning Commission (6-0 vote) and Staff recommend APPROVAL.

89. TMP-75223 - ABEYANCE ITEM - TENTATIVE MAP RELATED TO GPA-75219, ZON-75220, VAR-75221 AND VAC-75222 - CENTENNIAL JENSEN 5 - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST - For possible action on a request for a Tentative Map FOR AN 18-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION WITH WAIVERS TO ALLOW NO INTERIOR OR EXTERIOR STREETLIGHTS WHERE SUCH IS REQUIRED, DEFERRAL OF OFFSITE IMPROVEMENTS ON REGENA AVENUE AND JENSEN STREET AND A 184-FOOT EXTERNAL INTERSECTION OFFSET WHERE 220 FEET IS REQUIRED on 5.00 acres at the southwest corner of Centennial Parkway and Jensen Street (APN 125-30-101-006), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 6 (Fiore) [PRJ-75024]. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

90. SUP-76224 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: TASTE OF AFRICA - OWNER: FAEC HOLDINGS WIRRULLA, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 12,741 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT USE WITH A 1,245 SQUARE-FOOT OUTDOOR PATIO at 450 Fremont Street, Suite #295 (APN 139-34-513-002), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-75602]. The Planning Commission (5-0 vote) and Staff recommend APPROVAL.

91. ZON-76105 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: S. & D. GRAHAM PROPERTIES, LLC - For possible action on a request for a Rezoning FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-1

(LIMITED COMMERCIAL) on 1.00 acre at 1353 Arville Street (APN 162-06-510-015), Ward 1 (Tarkanian) [PRJ-76094]. The Planning Commission (5-0 vote) and Staff recommend APPROVAL.

92. VAR-75824 - VARIANCE - PUBLIC HEARING - APPLICANT: RAD MANAGEMENT, LLC - OWNER: DSRS PROPERTIES, LLC - For possible action on a request for a Variance TO ALLOW REDUCED LOT SIZES AND WIDTHS FOR THREE PROPOSED LOTS WHERE A 20,000 SQUARE-FOOT LOT SIZE AND A 100-FOOT LOT WIDTH ARE REQUIRED AND TO ALLOW A REAR YARD SETBACK OF 26 FEET WHERE 35 FEET IS THE MINIMUM REQUIRED on 0.70 acres at 835 Shetland Road (APN 139-32-802-025), R-E (Residence Estates) Zone, Ward 1 (Tarkanian) [PRJ-75738]. The Planning Commission (5-0 vote) and Staff recommend DENIAL.

93. VAR-76335 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: PATRON INVESTMENTS, LLC - For possible action on a request for a Variance TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED on 0.39 acres at 1618 and 1622 East Charleston Boulevard (APNs 162-02-113-001 and 002), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-76284]. Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL.

94. VAR-76336 - VARIANCE RELATED TO VAR-76335 - PUBLIC HEARING - APPLICANT/OWNER: PATRON INVESTMENTS, LLC - For possible action on a request for a Variance TO ALLOW 30 PARKING SPACES WHERE 32 PARKING SPACES ARE REQUIRED on 0.39 acres at 1618 and 1622 East Charleston Boulevard (APNs 162-02-113-001 and 002), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-76284]. Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL.

95. SDR-76337 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-76335 and VAR-76336 - PUBLIC HEARING - APPLICANT/OWNER: PATRON INVESTMENTS, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 871 SQUARE-FOOT ADDITION TO AN EXISTING BUILDING WITH A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE NORTH PERIMETER WHERE 15 FEET IS REQUIRED AND A ZERO-FOOT LANDSCAPE BUFFER ALONG THE EAST PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.39 acres at 1618 and 1622 East Charleston Boulevard (APNs 162-02-113-001 and 002), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-76284]. Staff recommends DENIAL.The Planning Commission (4-1 vote) recommends APPROVAL.

96. VAR-76293 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CYPRUS SUB 2, LLC - For possible action on a request for a Variance TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED; A 10-FOOT REAR YARD AND A 12-FOOT CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED FOR A PROPOSED SINGLE FAMILY DWELLING on 0.14 acres at the northeast corner of Ogden Avenue and 18th Street (APN 139-35-711-013), R-1 (Single Family Residential) Zone, Ward 3 (Coffin) [PRJ-76106]. Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL.

97. VAR-76344 - VARIANCE - PUBLIC HEARING - APPLICANT: BEN SILLITOE - OWNER: 1800 INDUSTRIAL, LLC - For possible action on a request for a Variance TO ALLOW A ZERO-FOOT SETBACK WHERE FIVE FEET IS REQUIRED FOR TWO PROPOSED MONUMENT SIGNS at 1800 Industrial Road (APN 162-04-704-003), M (Industrial) Zone, Ward 3 (Coffin) [PRJ-76245]. The Planning Commission (4-0-1 vote) and Staff recommend DENIAL.

98. SUP-76351 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: I NEED CASH NOW - OWNER: RED FEATHER PROPERTY, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,730 SQUARE-FOOT FINANCIAL INSTITUTION, SPECIFIED USE WITH WAIVERS TO ALLOW A 59-FOOT DISTANCE SEPARATION FROM A PARCEL ZONED FOR RESIDENTIAL USE WHERE 200 FEET IS REQUIRED AND A 660-FOOT DISTANCE SEPARATION FROM ANOTHER FINANCIAL INSTITUTION, SPECIFIED WHERE 1,000 FEET IS REQUIRED at 3281 North Decatur Boulevard, Suites #250 and #260 (APN 138-12-813-001), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-76172]. The Planning Commission (3-2 vote) and Staff recommend DENIAL.

SET DATE

99. Set date on any appeals filed or required public hearings from the City Planning Commission Meetings and Dangerous Building or Nuisance/Litter Abatements.

CITIZENS PARTICIPATION

100. Citizens Participation: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the City Council. No subject may be acted upon by the City Council unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name for the

record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited.

COUNCIL MEMBER RECOGNITION

101. Council Member Recognition: Comments made by individual City Council Members during this portion of the agenda will not be acted upon by the City Council unless that subject is on the agenda and scheduled for action.

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This meeting has been properly noticed and posted at the following locations:
City Hall, 495 South Main Street, 1st Floor
Clark County Government Center, 500 South Grand Central Parkway
Grant Sawyer Building, 555 East Washington Avenue
City of Las Vegas Development Services Center, 333 North Rancho Drive

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
1

DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
Call to Order

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
2

DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
Announcement Regarding: Compliance with Open Meeting Law

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
3

DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
Invocation - Pastor Brett Capaci, Shadow Hills Church

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
4

DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
Pledge of Allegiance

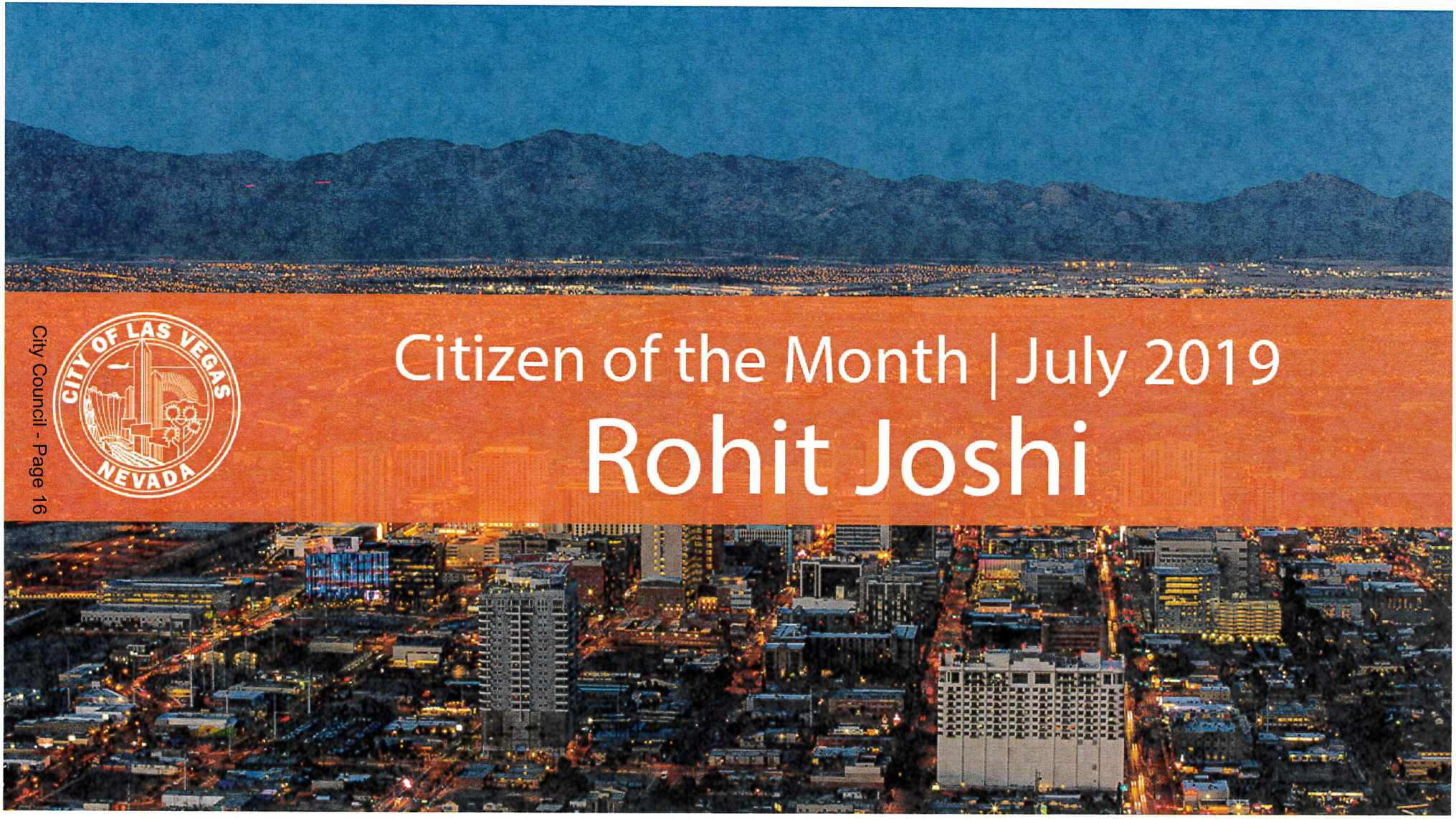
AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
5

DEPARTMENT: Communications **Ceremonial**
DIRECTOR: David Riggleman

SUBJECT:
Recognition of the Citizen of the Month

BACKUP DOCUMENTATION:
1. Submitted at Meeting – July Citizen of the Month Slide and Certificate for Rohit Joshi



Citizen of the Month | July 2019

Rohit Joshi

Submitted At Meeting

Date 7/17/19 Item 5

City of Las Vegas

Citizen of the Month

Presented to

Rohit Joshi

On the 17th of July 2019

CITY OF LAS VEGAS NEVADA

Mayor Carolyn G. Goodman

Mayor Pro Tem Michele Fiore

Councilman Stavros S. Anthony

Councilman Cedric Crear

Councilman Brian Knudsen

Councilwoman Victoria Seaman

Councilwoman Olivia Diaz

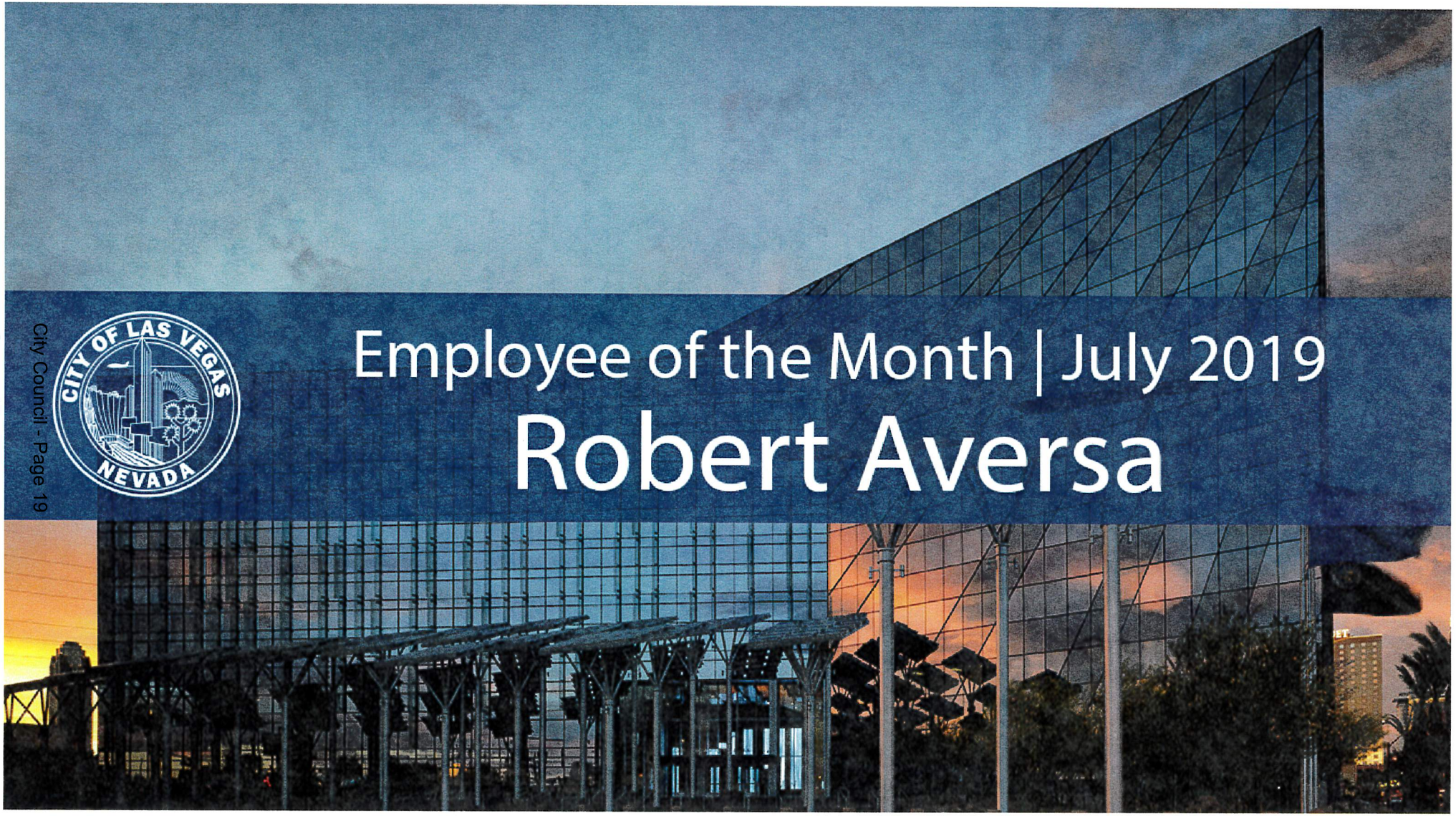
AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
6

DEPARTMENT: Communications **Ceremonial**
DIRECTOR: David Riggleman

SUBJECT:
Recognition of the Employee of the Month

BACKUP DOCUMENTATION:
1. Submitted at Meeting – July Employee of the Month Slide for Robert Aversa



Submitted At Meeting
Date 7/17/19 Item 6

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
7

DEPARTMENT: Communications **Ceremonial**
DIRECTOR: David Riggleman

SUBJECT:
Recognition of Collector Car Appreciation Day

BACKUP DOCUMENTATION:
1. Submitted at Meeting – Copy of Proclamation for Collector Car Appreciation Day and Certificates of Recognition for Collector Car Show Entrants

City of Las Vegas
Office of the City Council

Proclamation

By virtue of the authority given to us by the laws of the State of Nevada and by the Charter of the City of Las Vegas,

We, the Mayor and City Council of the City of Las Vegas, in recognition of the vital role automotive restoration and collection plays in American society do hereby proclaim

July 17th, 2019

as

"Collector Car Appreciation Day"

in the city of Las Vegas. We ask all citizens to join us in recognizing the contributions motorsports and car restoration make to our community.

Mayor Carolyn G. Goodman

Mayor Pro Tem Michele Fiore

Councilman Stavros S. Anthony

Councilman Cedric Crear

Councilman Brian Knudsen

Councilwoman Victoria Seaman

Councilwoman Olivia Diaz

City

Rocky Carron – 1955 Chevy Wagon

The Mayor and City Council of the City of Las Vegas
recognize the vital role automotive restoration and collection plays in American Society and thank you for your participation in the City of Las Vegas car show.

July 17, 2019

Mayor Carolyn G. Goodman

Mayor Pro Tem Michele Fiore

Councilman Stavros S. Anthony

Councilman Cedric Crear

Councilman Brian Knudsen

Councilwoman Victoria Seaman

Councilwoman Olivia Diaz

Kenneth Dundore – 1974 Plymouth Duster 340

The Mayor and City Council of the City of Las Vegas
recognize the vital role automotive restoration and collection plays in American Society and thank you for your participation in the City of Las Vegas car show.

July 17, 2019

Mayor Carolyn G. Goodman

Mayor Pro Tem Michele Fiore

Councilman Stavros S. Anthony

Councilman Cedric Crear

Councilman Brian Knudsen

Councilwoman Victoria Seaman

Councilwoman Olivia Diaz

Don Kiernan – 1934 Ford Truck

The Mayor and City Council of the City of Las Vegas
recognize the vital role automotive restoration and collection plays in American Society and thank you for your participation in the City of Las Vegas car show.

July 17, 2019

Mayor Carolyn G. Goodman

Mayor Pro Tem Michele Fiore

Councilman Stavros S. Anthony

Councilman Cedric Crear

Councilman Brian Knudsen

Councilwoman Victoria Seaman

Councilwoman Olivia Diaz

David Lazear – 1923 Ford T-Bucket

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July 17, 2019

Mayor Carolyn G. Goodman

Mayor Pro Tem Michele Fiore

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Councilwoman Victoria Seaman

Councilwoman Olivia Diaz

Russell Lee – 1968 Dodge Charger

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July 17, 2019

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Maurice Lichten – 2016 Ford Mustang

The Mayor and City Council of the City of Las Vegas
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July 17, 2019

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Councilman Brian Knudsen

Councilwoman Victoria Seaman

Councilwoman Olivia Diaz

Gary McIllwain

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July 17, 2019

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Councilwoman Victoria Seaman

Councilwoman Olivia Diaz

Don Refuerzo – 1978 Chevy El Camino

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July 17, 2019

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Councilwoman Olivia Diaz

Stephen Topper – 1972 Plymouth, 'Cuda

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July 17, 2019

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Councilwoman Victoria Seaman

Councilwoman Olivia Diaz

Garo Agabeg – 1967 Plymouth Fury III

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John Bear – 1941 Ford Coupe

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Mike Campbell – 1961 Chevy BelAir

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Jerry Felicetta – 1963 Pontiac Catalina

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Frank Fopiano – 2008 Chevy Corvette Pace Car

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Dave Fukes – 1967 Chevrolet SS RS Camaro

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Councilwoman Olivia Diaz

Justin Gomes – 1968 Ford Shelby GT 350

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Councilwoman Olivia Diaz

Keith Gronquist – 1964 Corvette Sting Ray

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Councilwoman Olivia Diaz

Bob Hirami

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Councilwoman Olivia Diaz

Gregory Herrera – 1961 Pontiac Ventura

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Rita Kam – 1967 Chevy Camero

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Art Kam – 1931 Ford Roadster Pick-up

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Kathy Rose Kunkle – 1954 Ford Skyliner

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Tom Kunkle – 1970 Chrysler 300 Hurst Convertible

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Timothy P Malone – 1965 Ford Mustang Fastback

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Eric Mancao – 1974 Toyota Corolla

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Jerry Meloy – 1972 Ford Pinto

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Albert Neal – 1968 Chevy Camaro

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Frank O'Brien – 1958 Chevy Apache

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Councilwoman Olivia Diaz

Raphael Olivo – 1970 Chevy Chevelle SS

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Ken Phillips – 1933 Chevy Empire

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Gary Reid – 1926 Chevy Roadster

The Mayor and City Council of the City of Las Vegas
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July 17, 2019

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Joseph Rosa – 1929 Mercedes Gazzell Roadster

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July 17, 2019

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Don Salomonson – 1970 Oldsmobile Convertible

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July 17, 2019

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Councilman Brian Knudsen

Councilwoman Victoria Seaman

Councilwoman Olivia Diaz

Kerry Schultz – 1972 Chevy Camaro

The Mayor and City Council of the City of Las Vegas
recognize the vital role automotive restoration and collection plays in American Society and thank you for your participation in the City of Las Vegas car show.

July 17, 2019

Mayor Carolyn G. Goodman

Mayor Pro Tem Michele Fiore

Councilman Stavros S. Anthony

Councilman Cedric Crear

Councilman Brian Knudsen

Councilwoman Victoria Seaman

Councilwoman Olivia Diaz

Frank Sluzynski – 1962 Ford Thunderbird

The Mayor and City Council of the City of Las Vegas
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July 17, 2019

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Mayor Pro Tem Michele Fiore

Councilman Stavros S. Anthony

Councilman Cedric Crear

Councilman Brian Knudsen

Councilwoman Victoria Seaman

Councilwoman Olivia Diaz

Hiroshi Sugawara – 2001 Acura NSX-T

The Mayor and City Council of the City of Las Vegas
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July 17, 2019

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Mayor Pro Tem Michele Fiore

Councilman Stavros S. Anthony

Councilman Cedric Crear

Councilman Brian Knudsen

Councilwoman Victoria Seaman

Councilwoman Olivia Diaz

Marcus Urrabazo – 1963 Chevy Pick-up

The Mayor and City Council of the City of Las Vegas
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July 17, 2019

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Mayor Pro Tem Michele Fiore

Councilman Stavros S. Anthony

Councilman Cedric Crear

Councilman Brian Knudsen

Councilwoman Victoria Seaman

Councilwoman Olivia Diaz

Whiskey – 1934 Ford Truck

The Mayor and City Council of the City of Las Vegas
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July 17, 2019

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Councilman Stavros S. Anthony

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Councilman Brian Knudsen

Councilwoman Victoria Seaman

Councilwoman Olivia Diaz

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
8

DEPARTMENT: Communications **Ceremonial**
DIRECTOR: David Riggleman

SUBJECT:
Recognition of Alpha Phi Alpha Fraternity Incorporated's 95th General Convention

BACKUP DOCUMENTATION:
1. Submitted at Meeting – Copy of Proclamation for Alpha Phi Alpha Fraternity, Incorporated Days

City of Las Vegas
Office of the City Council

Proclamation

Alpha Phi Alpha Fraternity, Incorporated
113th Anniversary 95th General Convention

Whereas; *The Mayor and members of the Las Vegas City Council recognize Alpha Phi Alpha Fraternity, Incorporated as they celebrate their 113th Anniversary 95th General Convention, July 24-28, 2019 in Las Vegas, Nevada; and*

Whereas; *Alpha Phi Alpha Fraternity, Incorporated was established as an intercollegiate Greek-letter fraternity at Cornell University on December 4, 1906; and*

Whereas; *We recognize the local chapter of Alpha Phi Alpha Fraternity, Incorporated, Theta Pi Lambda, for their leadership to its member's as well as respective residents in the Las Vegas community; and*

Whereas; *We recognize Alpha Phi Alpha Fraternity, Incorporated as a whole for its mission to develop leaders, promote brotherhood and academic excellence to help ensure youth have an opportunity to obtain higher education; and*

Whereas; *We recognize Alpha Phi Alpha Fraternity, Incorporated for its $10,000 donation to the Las Vegas Mayor's Fund earmarked for field enhancements. Your monetary donation will provide 2 new scoreboards at the Kianga Isoke Palacio Park at the Doolittle Center Complex; and*

Whereas; *We recognize Alpha Phi Alpha Fraternity, Incorporated for partnering with Ward 5 Councilman Cedric Crear, and the City Council for Alpha Day on Saturday, July 21, 2019. Alpha Day includes: Bolden Little League Scoreboard Donation Ceremony; Strong Start GO Mobile Pre-K Academy tours; Summer Splash party and swim lessons; and*

Therefore; *In great recognition of Alpha Phi Alpha Fraternity, Incorporated's 113th Anniversary 95th General Convention, and Alpha Day partnership with the city of Las Vegas, We urge residents to join with us as we do hereby proudly proclaim*

July 24-28, 2019

Alpha Phi Alpha Fraternity, Incorporated Days

In the City of Las Vegas

Mayor Carolyn G. Goodman

Mayor Pro Tem Michele Fiore

Councilman Stavros S. Anthony

Councilman Cedric Crear

Councilman Brian Knudsen

Councilwoman Victoria Seaman

Councilwoman Olivia Diaz

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
9

DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
Public comment during this portion of the Agenda must be limited to matters on the Agenda for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion, as well as the amount of time any single speaker is allowed, may be limited.

BACKUP DOCUMENTATION:
1. Submitted at Meeting – Flyer Submitted by Steven Grammas

SCHOOL SUPPLY DRIVE!

THESE SUPPLIES WILL BE DONATED DIRECTLY TO TEACHERS

The Las Vegas Police Protective Association (LVPPA) will be a drop off location for needed school supplies for the upcoming 2019-2020 school year

We will be accepting donations:

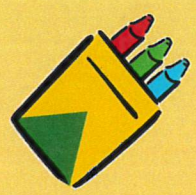
Submitted at City Council
Date 7/17/19 Item 9
By: Steven Gammas

8am to 5pm Monday through Friday

Wednesday, July 17th through Wednesday July 31st

LVPPA
9330 W. Lake Mead Blvd.
Las Vegas, NV 89134

Below are the lists of supplies needed:



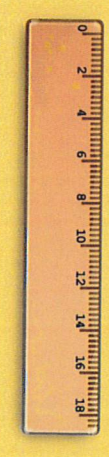
MIDDLE SCHOOL/HIGH SCHOOL

- Reams of Copy Paper
- College ruled filler paper packs
- Spiral Notebooks—College Ruled
- Composition Notebooks—College Ruled
- 1" & 2 " 3-Ring Binders
- USB Flash Drives
- Dry Erase Markers
- #2 Pencils
- Ballpoint Pens: Blue, Black, Red
- Highlighters
- Colored Pencil Packs
- Hand Sanitizer
- Tissue Boxes
- Disinfecting Wipes
- Glue Sticks
- Pocket Folders
- Plastic Dividers



ELEMENTARY SCHOOL

- #2 Pencils
- Copy Paper
- Dry Erase markers
- Glue Sticks
- Crayon Packs (24 Count)
- Marker Packs—Classic Colors (8 Count)
- Colored Pencil Packs
- Rulers
- Kids School Scissors
- Composition Notebooks-Wide Ruled
- Spiral Notebooks-Wide Ruled
- Wide Ruled Filler Paper
- Pocket Folders
- Erasers
- Tissue Boxes
- Hand Sanitizer
- Disinfecting Wipes
- Ziplock Bags: Quart & Gallon Size







AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
10

DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
For Possible Action - Any items from the 9 A.M. session that the Council, staff and/or the applicant wish to be stricken, tabled, withdrawn or held in abeyance to a future meeting may be brought forward and acted upon at this time.

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
11

DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
For possible action to approve the Final Minutes by reference of the June 5 and 19, 2019 City Council Meetings

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
12

DEPARTMENT: City Attorney **CONSENT**
DIRECTOR: Brad Jerbic

SUBJECT:
For possible action to approve continued funding for McDonald Carano to represent the City of Las Vegas in an action filed against it by 180 Land Company, LLC, Case No. A-17-758528-J, in the Eighth Judicial District Court concerning the denial of several land use applications for the development of a portion of the former Badlands Golf Course for an amount not to exceed $100,000 (General Fund) - Ward 2 (Seaman)

FISCAL IMPACT:
Augmentation Required
Amount: $100,000
Funding Source: General Fund
Dept./Division: City Attorney

PURPOSE/BACKGROUND:
180 Land Company, LLC submitted applications to develop a 61-acre portion of the former Badlands Golf Course. On June 21, 2017, the City Council denied the applications, after which 180 Land filed a petition for judicial review challenging the denial along with an original action alleging various inverse condemnation claims (this matter is Case No. A-17-758528-J in the Eighth Judicial District Court). On April 17, 2018, the City Manager authorized McDonald Carano to begin defending the City of Las Vegas in this action and authorized fees up to $49,999. On June 20, 2018, December 19, 2018, and April 3, 2019, the City Council authorized additional funding of $100,000 each. Due to the circumstances of this litigation, legal fees will likely soon exceed $349,999.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
1. McDonald Carano Engagement Letter

McDONALD CARANO

George F. Ogilvie III

Reply to Las Vegas

June 20, 2019

VIA ELECTRONIC MAIL

Philip R. Byrnes
Seth T. Floyd
City Attorney's Office
City of Las Vegas
495 South Main Street, 6th Floor
Las Vegas, NV 89101
pbyrnes@lasvegasnevada.gov
sfloyd@lasvegasnevada.gov

Re: Engagement for 180 Land Company, LLC, et al. v. City of Las Vegas Case No. A-17-758528-J

Dear Mr. Byrnes and Mr. Floyd,

McDonald Carano ("the Firm") is pleased to continue its representation of the City of Las Vegas ("Client") with respect to Nevada law matters described below. Experience has shown the attorney client relationship works best when there is a formal, mutual understanding about fees, payment terms and the scope of services to be provided. This letter ("Agreement") constitutes the agreement relating to the services our firm has agreed to provide. The terms and conditions of our engagement are as follows:

I. Scope of Engagement

The scope of the Firm's engagement (the "Engagement") involves representing the Client in its dispute with 180 Land Company, LLC, Case No. A-17-758528-J, in the Eighth Judicial District Court. The services to be provided by the Firm in connection with the Engagement will encompass all services normally and reasonably associated with this type of Engagement that the Firm is requested and able to provide and that are consistent with the ethical obligations of the Firm and its attorneys.

The scope of this Engagement does not include any other types of legal work other than that described above. If Client requests our assistance with any matters other than described above, we may request a separate engagement letter for such work. If no separate engagement letter is executed, however, the terms and conditions set forth herein shall apply to all such work and remain binding on both of us.

II. Personnel

I will be principally responsible for and actively involved in the Engagement. We anticipate the litigation team to consist of me, Amanda Yen, Christopher Molina. In accordance with our recent conversations, Debbie Leonard will continue her involvement as a contract attorney to the Firm. Additional lawyers or paralegals may be involved as needed. Whenever appropriate and consistent with the proper representation of our clients, we use paralegals, investigators, junior attorneys and staff members in order to minimize the impact of the hourly rates of more senior attorneys. We believe that doing so enables us to economically and efficiently maintain the high quality of our legal representation.

III. Fees and Expenses

The rates for our services and other charges are set forth in the attached Schedule of Terms and Conditions. These rates reflect a discount from our standard rates. Our services will be rendered at the Firm's standard hourly rates for other personnel (such as paralegals and assistants) applicable at the time services are rendered. The time charges will be for all time actually expended. In addition to charges for legal services, we will be entitled to payment or reimbursement for disbursements and other charges incurred in performing services. We generally review our hourly rates annually and, if appropriate, adjust them effective January to reflect increases in seniority, experience and other relevant factors.

While we may estimate fees to assist Client in planning, such estimates are subject to change and are not binding unless otherwise expressly stated in writing. The City Manager has already approved a prior contract for this Engagement, the terms of which were not to exceed Forty-Nine Thousand Nine Hundred Ninety-Nine and 99/100 dollars ($49,999). The City Council has approved three additional engagement agreements of One Hundred Thousand Dollars ($100,000) each. This Agreement is submitted for approval by the Las Vegas City Council for an additional One Hundred Thousand Dollars ($100,000) in fees and costs over and above the previously approved Three Hundred and Fifty Thousand Dollars ($350,000). The approval of this fifth contract is necessary due to the nature of the Engagement. We understand that additional approval will be needed should fees and costs exceed the amount of this third contract.

For this Engagement, we will waive any requirement for a retainer.

Our firm has always operated on the basis that we will deliver the best possible legal services in a timely fashion and at a reasonable price. In return, we request that upon receipt, Client review our statements to determine if there are any questions or comments regarding them. If so, please call us.

IV. Conflict Waivers and Related Matters.

Attorneys owe duties of loyalty and of confidentiality to their clients. It is unavoidable that, from time to time, conflicts of interest develop between or among our clients, or between clients, or former clients, and prospective clients we wish to represent. In these circumstances, we are required, to disclose the conflicts to our clients, former clients and prospective clients and consult with them and to obtain the clients' or former clients' consents before we may proceed.

A. Waiver For "Permitted Adverse Representations"

The Firm represents a broad base of clients on a variety of matters. Absent an effective conflicts waiver, conflicts of interest may arise that could adversely affect Client's ability and the ability of other clients to choose the Firm as its counsel and preclude the Firm from representing Client or other clients in pending or future matters. Given that possibility, and desiring to be fair both to Client and other clients, this letter will confirm our mutual agreement that the Firm may represent other present or future clients on matters other than those for which it had been or is then engaged by Client, whether or not on a basis adverse to Client or any affiliate, including litigation, land use or entitlement applications and public hearings, appearances before Client's governing bodies on any matters, and legal or other proceedings or matters (referred to as "Permitted Adverse Representation"). Specific waivers are set forth in Part C below. Client agrees that it will not assert the Firm's representation of Client as a basis for disqualifying the Firm from representing another party in any Permitted Adverse Representation and agree that any Permitted Adverse Representation does not constitute a breach of duty. Before taking on any new Permitted Adverse Representation, the Firm must first obtain client approval, which approval shall not be unreasonably withheld.

B. Affiliates and Related Parties

Unless otherwise agreed to in writing, the Firm is only representing the Client named in this engagement letter and not the Client's relatives, affiliates, subsidiaries, partners, joint venturers, employees, directors, officers, shareholders, members, owners, agencies, departments, or divisions. Accordingly, the Firm may be adverse to these related parties or their legal interests, unless precluded by reason of the Rules of Professional Conduct. We anticipate, however, that in the course of our representation of the Client in this Engagement we may provide information or advice to the Client's directors, officers or employees in their corporate capacities.

C. Specific Waivers

The Firm has represented and continues to represent Newland Real Estate Group, LLC and its related entities, CenturyLink, and XO Communications, Inc. and Nevada Museum of Art, Inc. in matters where the Client is the other party, or potentially an adverse party (the "Specific Parties"). Nevada Supreme Court Rule 1.7 provides that a lawyer shall not represent a client if the representation of that client will be directly adverse to another client unless such client consents in writing. We understand the Client and the Specific Parties have no objection to our Firm representing Client on the Engagement, in addition to the Firm's continued representation of the Specific Parties in matters adverse to the City. We do not believe an actual conflict of interest would arise under our Nevada Rules of Professional Conduct from representing the Client on the Engagement and representing the Specific Parties on other matters because our work for the Client in connection with the Engagement is not related to our work for the Specific Parties on other matters, nor are we representing other parties in the same transaction or litigation. However, we may have an actual concurrent conflict of interest in the future if any disputes arose between the Client and any of the Specific Parties, or if any adversarial proceeds or negotiations between the parties ensued. In any such case, we require the ability to continue to represent the Specific Parties, as "Permitted Adverse Representations," without disqualification by the Client based on any asserted conflicts of interest applicable to the Firm. We ask that you discuss this request with your counsel, and that based on the advice of your counsel, you agree at this time and at any such future time to waive any such conflicts. The Firm would not, in any case, represent the Client in any such matters. In accord with Nevada Supreme Court Rule 1.7, by its signatures below, the Client hereby consents to our Firm representing the Client in the Engagement and the Specific Parties in other matters, now and hereafter, that may be adverse to the Client, and waives any actual or potential conflicts arising from such representation and the Firm's continued representation of the Specific Parties.

Based upon the disclosure of the names of persons and entities potentially involved in this matter, we have not discovered any other actual or potential conflict that requires further action before undertaking our representation. Please advise us, at or before the time you return the signed copy of this letter, if you know of any other individuals or entities that may be involved in this matter. In addition, please inform us at once if you learn in the future of other persons or entities who may be involved so we can make a conflict of interest search with respect to them.

V. Other Terms.

The general terms and conditions of our representation are set forth in the attached schedule of General Terms and Conditions, which are incorporated into this agreement by reference. If this letter is satisfactory, please confirm your agreement to the terms of this engagement letter and

attached schedule by signing this letter and returning it to us. If this letter does not accurately reflect your understanding of the terms of our agreement, please call me promptly so that we may discuss it further.

We recognize that you have the opportunity to obtain services from other firms, and very much appreciate that you have chosen our Firm. We will endeavor to represent you promptly and efficiently, and look forward to the opportunity of working with you.

Sincerely,

McDONALD CARANO LLP

/s/ George F. Ogilvie III

George F. Ogilvie III, Esq.

GFO/jj

CLIENT'S AGREEMENT TO
TERMS AND CONDITIONS OF REPRESENTATION

I hereby acknowledge that the City Council has had an adequate opportunity to review and understand the above **engagement letter and accompanying schedule of terms and conditions**, and that I am duly authorized by the City of Las Vegas as its Mayor to bind it and execute this Agreement on its behalf pursuant to Section 3.010 of the City's Charter. Therefore, the City of Las Vegas agrees to be legally bound by the terms, limitations and conditions, including without limitation the conflict waivers and dispute resolution procedures, set forth therein.

Date:_____, 2019.

APPROVED

CITY OF LAS VEGAS

By: _____
Carolyn G. Goodman, Mayor

ATTEST:

_____
LuAnn D. Holmes, MMC
City Clerk

APPROVED AS TO FORM:

_____ 6/19/19
Seth T. Floyd, Date
Deputy City Attorney

GENERAL TERMS AND CONDITIONS OF ENGAGEMENT

1. Engagement: City of Las Vegas adv. 180 Land Company, LLC, Case No. A-17-758528-J

2. Hourly Rates For Personnel

George Ogilvie (Partner): $550
Amanda Yen (Partner): $400
Christopher Molina (Associate): $300
Debbie Leonard (Contract) $400
Other partners: $400
Other associates: $300

3. Billing Increments: We charge for our time in minimum units of 1/10 hours.

4. Costs and Expenses.

In-office photocopying	$ .25 per page
Mileage	Current IRS Rate
Computerized legal research	$5.00 per minute

Clerical staff overtime necessary for extraordinary matters will be charged at 1.5 times the base hourly rate. The base hourly rates for clerical personnel presently range between $15.00 and $20.00.

5. Billing Statements; Carrying Charges. Billing statements will normally be rendered to Client on a monthly basis. Fees will generally be billed within thirty (30) days following the month in which the services are rendered, and disbursements and other charges will generally be billed within thirty (30) to sixty (60) days after they are incurred by us. Payment is due upon Client's receipt of our statement, and is not contingent upon the outcome or completion of a matter for which the firm has been engaged. The Firm does not extend credit to clients. If fees are not paid promptly (within 30 days of the date of invoice), a carrying charge of 1.5% per month (subject to adjustment from time to time as indicated in our billing statements) will be assessed on the unpaid balance of the statement from the date of invoice. Payments will be accepted by cash, check, money order, bank draft, wire transfer and credit card.

6. IOLTA Participation. The Firm will maintain and safeguard a trust account from which any interest earnings are forwarded to the IOLTA program run by the Nevada Law Foundation. Any interest earned on your trust fund balance will be forwarded to the program.

7. Rates Subject to Change. The rates on this schedule are subject to change on thirty (30) days written notice. If Client declines to pay any increased rates, we reserve the right to withdraw.

8. No Guarantees. We must emphasize that it is impossible to provide any promise or guarantee about the outcome of your representation. Nothing in this Agreement or any statements by our staff or attorneys constitute a promise or guarantee. Any comments about the outcome of your matter are expressions of opinion only.

9. Communication. During the course of our representation, we will endeavor to keep Client fully advised as to the status and progress of this matter and our recommendations as to an appropriate course of action in view of the facts, circumstances and issues involved. We will send copies of all material documents generated in connection with our representation, and I ask that you call the Firm, at any time, should Client wish to discuss the matter, our invoices or bills, or any other aspect of this representation. If, for some reason, I am not available, another attorney in this office will generally be available and familiar with the matter sufficiently to consult with Client as desired. Client agrees that all means of communication are, to some degree, susceptible to misdirection, delay or interception, and E-mail, facsimile transmissions and cellular telephone communications present special risks of inadvertent disclosure. However, in order to maximize speed, efficiency, and convenience of these methods of communication in this matter, Client consents to our use of E-mail, cellular phones, and facsimile transmissions communications in representing Client in this matter.

10. Fees Disputes. Under Nevada law, Client has the right to request arbitration of any fee dispute before a committee selected by the State Bar known as a "fee dispute" committee. By signing this Agreement, and unless otherwise agreed in writing by Client and Firm or unless otherwise decided by a Nevada court of competent jurisdiction on a motion for the award of fees, any dispute about the amount or payment of legal fees or costs in this Engagement shall be submitted for final and binding arbitration before the Fee Dispute Committee of the State Bar of Nevada ("Bar Arbitration"). Such Bar Arbitration shall determine only the issue of the amount of fees and charges properly chargeable to Client, and such Bar Arbitration shall have no effect on any claims for affirmative relief based on alleged professional malpractice, errors or omissions, breach of contract, breach of fiduciary duty, fraud or violation of any statute, which such claims shall be solely determined in a binding arbitration proceeding by a retired judge or justice without regard to the result of any Bar Arbitration.

11. Records and File Retention. All records and files will be retained and disposed of in compliance with our policy in effect from time to time. Subject to future changes, it is our current policy not to retain records for more than seven (7) years from the date the matter is closed. Upon prior written request, we will return records to Client prior to destruction. As it is not

administratively feasible to advise Client of record disposal, we recommend Client maintain its own files for reference. If Client has any questions concerning record retention, please contact us.

12. Client Responsibilities. Client agrees to cooperate with us, to keep us informed of all developments material to the Engagement (especially communication to or from other legal counsel, material undertakings, and agreements), to communicate and disclose fully all relevant matters relating to our Engagement, to abide by this agreement, and to advise the firm concerning any disputed fee or cost charged in this matter. Our firm will rely upon materials and matters provided and communicated to us by Client, its agents, and other representatives, as well as your representations to us that arise during the course of our representation of Client in this matter. The firm undertakes no obligation or duty of independent inquiry to confirm or verify such representations and matters. It is extremely important that Client provide us with complete and accurate information on a timely basis since our representation, analysis and advice to Client will be based upon such information, and could change if factual circumstances are different.

13. Termination. Client has a right at any time to terminate our services and representation upon written notice to the Firm, and we may also terminate our services upon written notice at any time for any reason. Client remains liable for all unpaid charges for services provided and expenses advanced or incurred prior to the date of termination or withdrawal. If Client does not meet its obligation of timely payments or deposits under this engagement letter, we reserve the right to suspend services and/or withdraw from representation on that basis alone, subject to any required judicial, administrative, or other approvals. In the event of termination, Client agrees to take all steps necessary to free us of any obligation to perform further, including the execution of any documents (including forms for substitution of counsel) necessary to complete our withdrawal. In addition, our representation will end at the earliest of (a) Client's termination of our representation; (b) our withdrawal or termination; or (c) unless we are engaged to represent Client in other matters, upon substantial completion of our work on the Engagement whether or not we send Client a letter to confirm the termination of our representation. Unless subsequently re-engaged, we undertake no further responsibility to advise Client concerning developments which may impact your matter and the legal representation we provided to Client. From time to time, we may provide Client general topical information concerning recent legal developments as a courtesy. These communications do not create an attorney client relationship nor should it be construed as legal advice or an opinion on specific situations. If Client does not wish to receive future law updates and alerts, please contact the Firm asking to be removed from the mailing list.

14. MERITAS. Our firm is a member of MERITAS ("Meritas") which is a network of over 185 independent commercial law firms located in major cities throughout the world. Meritas members are not engaged in the joint practice of law and do not share fees among themselves. Membership in Meritas gives us, and our clients, access to legal resources in other jurisdictions so

that our clients' need for legal services can be handled virtually anywhere our clients conduct business. We will only utilize the services of another Meritas firm in this matter with Client's express knowledge and consent. Further information about Meritas can be obtained at the organization's website at www.meritas.org.

15. Governmental Affairs. In addition to the services already set forth in this engagement letter, the Firm may need to utilize the expertise of our Governmental Affairs Team to advance the objectives of Client's engagement with the Firm. Be advised that prior to requesting assistance from the Governmental Affairs Team Client will be counseled as to why this is necessary and/or advisable and be given an opportunity to elect their services. The fee for the members of our Governmental Affairs Team is included above and are in addition to fees for legal services.

16. Electronic Discovery Services. Lawsuits today involve the production of all available electronic information relating to the subject matter of the lawsuit, including documents, e-mails, text messages, photographs and other digital materials, commonly referred to as Electronically Stored Information ("ESI"), stored on servers, desktop computers, laptop computers, tablets and smart phones. Both Client and the opposing party will be required to produce all ESI as part of the discovery process. The production of ESI involves the collection, processing, review, analysis and production of all ESI relevant to the litigation, which can amount to thousands of documents. Many third-party vendors provide E-Discovery services to law firms and their clients. The Firm also provides E-Discovery services to its clients through our eDiscovery section, within our IT Department. Whether provided by the Firm or an outside provider, the Firm utilizes E-Discovery technology for keyword searching, deduplication and email threading to locate responsive and privileged documents in a more cost efficient and accelerated manner. Handling E-Discovery through the Firm can result in substantial savings to Client. The fees charged by the Firm are set forth on the term sheet attached hereto as Exhibit "A". If and when it becomes necessary to utilize E-Discovery services, the responsible Firm attorney handling your case will discuss this with you. If Client elects to use the Firm, a separate service agreement will be required to be executed by Client with the Firm to define the scope of the services and the cost of such services. In addition to the attorney's fees charged by the Firm, Client will be responsible for all costs and expenses relating to E-Discovery, whether provided by the Firm or an outside provider.

17. Written Advice Regarding Federal Tax Issues. Whenever we provide Client with written advice concerning the federal tax treatment of an item of income, gain, loss, deduction or credit, the existence or absence of a taxable transfer property, or the value of property for federal tax purposes, we are subject to stringent requirements imposed by the United States Treasury Department on all tax practitioners, including attorneys. These rules cover much more than formal legal opinions and may apply to any writing relating to any Internal Revenue code matter, including communications via e-mail and fax. If we fail to comply with these rules, we may (under

certain circumstances) be suspended or disbarred from practice before the Internal Revenue Service, be publicly censured or fined (to the extent that the Secretary of Treasury promulgates regulations requiring any such fines or penalties). Therefore, if during the course of this engagement, we provide written advice regarding any arrangement the principal purpose of which is the avoidance or evasion of any tax imposed by the Internal Revenue Code, such writing must comply with the rigorous standards of review and disclosure (including enhanced factual and legal due diligence) which are now required by the Treasury Department. If tax avoidance is not the principal purpose of an arrangement but is a significant purpose, our written advice must also adhere to the same rules, unless we include a prominent disclosure stating that the writing was not intended or written by us to be used, and it cannot be used by Client or anyone else for the purpose of avoiding taxpayer penalties. It is for this reason that certain written communications to Client, including emails and faxes, will contain the following disclosure statement: "Any Federal tax advice contained herein is not intended or written to be used, and cannot be used by Client or any other person, for the purpose of avoiding any penalties that may be imposed by the Internal Revenue Code. This disclosure is made in accordance with the rules of Treasury Department Circular 230 governing standards of practice before the Internal Revenue Service. Any written statement contained herein relating to any Federal tax transaction or matter may not be used by any person without our express prior written permission to support the promotion or marketing of or to recommend any Federal tax transaction(s) or matter(s) addressed herein. No advice contained herein may be relied upon or utilized by any person for any purpose except as expressly and affirmatively stated herein without the prior written consent in each instance of a partner of this firm."

18. Miscellaneous. This Agreement is governed by Nevada law and sets forth our entire agreement for rendering professional services. It can be amended or modified only in writing. Each party signing this Agreement is jointly and severally responsible for all obligations due us and represents that each has full authority to execute this Agreement so that it is binding. This Agreement may be signed in one or more counterparts and binds each party signing it whether or not any other proposed signatory ever executes it. If any provision of this Agreement or the application thereof is held invalid or unenforceable, the invalidity or unenforceability shall not affect other provisions or applications of this Agreement which can be given effect without such provisions or application, and to this end the provisions of this Agreement are declared to be severable. We are not advising Client with respect to this Agreement because we would have a conflict of interest in doing so. If Client wishes advice, Client should consult independent counsel of Client's choice.

Exhibit A

McDonald Carano E-Discovery
Schedule of Costs

E-Discovery Service	Unit	Price
PROCESSING		
ESI (Electronically Stored Information) Processing (includes uncompressing, metadata extraction, OCR, image generation, deduplication, indexing, and analytics)	Per GB	$100
STORAGE		
Monthly hosting (no charge for cases under 5 GB)	Per GB per month	$0
Monthly hosting (for cases from 5–99 GB)	Per GB per month	$15
Monthly hosting (for cases from 100–499 GB)	Per GB per month	$12
Monthly hosting (for cases larger than 500 GB)	Per GB per month	$10
PRODUCTIONS		
TIFF or PDF export (includes redactions and endorsements)	Per GB	$250
Optical media, flash drives, FTP upload	Per item	$0
External hard drive (for productions larger than 32 GB)	Per item	$75

4843-1135-6041, v. 1

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
13

DEPARTMENT: Community Services **CONSENT**
DIRECTOR: Kathi Thomas-Gibson

SUBJECT:
For possible action to approve the allocation of $315,769.52 of Low Income Housing Trust Funds to Accessible Space Inc. for the rehabilitation of Ruby Duncan Manor Affordable Senior Housing, located at 500 West Owens Avenue - Ward 5 (Crear)

FISCAL IMPACT:
Budget Funds Available
Amount: $315,769.52
Funding Source: Low Income Housing Trust Funds (LIHFT)
Dept./Division: Office of Community Services/Community Resources

PURPOSE/BACKGROUND:
On January 3, 2018 the City Council approved an allocation of $551,300 in Low Income Housing Trust Funds (LIHTF) and Community Development Block Grant (CDBG) for the rehabilitation of 30 units of senior housing (age 62 and above) and the community building. Due to rising construction cost and the need to address additional safety and health related issues, Ruby Duncan Manor Affordable Senior Housing is requesting an additional $315,769.52.

RECOMMENDATION:
Staff recommends that the City Council approve the allocation and authorizes the Mayor to sign any and all related documents following approval as to form by the City Attorney.

BACKUP DOCUMENTATION:
1. Formal Request Letter
2. GE Quote
3. HD Supply Quote
4. TCS Change Order Request

Accessible Space, Inc. **Via Electronic Mail**

June 5, 2019

Mr. Patrick Petrie, CPM
Grant Program Coordinator
City of Las Vegas, Nevada
Office of Community Services
495 South Main Street
Las Vegas, NV 89101

Re: Low Income Housing Trust Fund (LIHTF) Amendment Request
Operation Life Senior Citizen Corp./Ruby Duncan Manor
500 West Owens Avenue, Las Vegas, NV 89106

Dear Mr. Petrie,

Per recent and ongoing communications with you and your colleagues within the City of Las Vegas' Office of Community Services, we thank you for this opportunity to request an amendment to the recently executed Low Income Housing Trust Fund (LIHTF) Agreement for the completion of significant capital improvements to ensure the turnaround and long-term preservation of the above referenced, HUD Section 202 financed, affordable senior apartment community.

As we have previously discussed, due to a steady and strong growth in demand for materials and construction services in Southern Nevada within the last couple of years, the original estimates to complete the necessary and critical improvements at this property have significantly increased, and we have experienced the same challenges at three additional new development construction initiatives in Las Vegas during this same time period.

As such, in order to fully complete all necessary and critical renovations and repairs at Ruby Duncan Manor, on behalf of the Owner, Operation Life Senior Citizens Corp., Accessible Space, Inc. (ASI) is requesting an amendment to the above referenced LIHTF Agreement for an additional **$315,769.52** as depicted in the attached quotes/bids.

Thank you for your time and consideration of this request, and please contact me directly with any questions or additional requests for information. We are sincerely appreciative of the City of Las Vegas' commitment to the turnaround, preservation and long-term success of Ruby Duncan Manor, none of which would be possible without the City's generous support of this initiative.

Sincerely,

Ken Berry
Director of Housing and Program Services

Attachments

cc: Ms. Earlie King
Grant Program Coordinator
City of Las Vegas

Ms. Melanie Riley
Grant Program Coordinator
City of Las Vegas

Ms. Ruby Duncan
Operation Life Senior Citizen Corp.

Mr. Stephen Vander Schaaf
President/CEO
Accessible Space, Inc.

Ms. Stephanie Brooks
Housing Compliance & Project Administrator
Accessible Space, Inc.

Ms. Diane Guinn
Operation Life Senior Citizen Corp.

GE APPLIANCES
a Haier company

Haier US Appliance Solutions, Inc.
dba GE Appliances ("GEA")
Appliance Contract Sales

16525 W 159TH Street
Suite 306
Lockport, IL 60441

May 24, 2019

Buyer:
Accessible Space Inc
2550 University Ave, W
Suite 330N
Saint Paul, MN 55114
Customer Phone: (800) 466-7722
Customer Fax: (651) 379-4678
Project Name:
Multi Family
Project Location:
St. Paul, M N 55114
Project Living Units: 25

Project Acct. No.: 12-VKY45

Area Sales Manager
(800) 942-4223
Ricky Karels

To place an order:
(800) 523-7277

To Fax an order:
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(800) 851-6200

GE Appliance Answer Center®
(800) 626-2000

This quotation is subject to and governed by GEA's Standard Terms and Conditions of Sale

Agreed and Accepted:

Name

Title

Date

Quotation

Prepared For Accessible Space Inc
By Ricky Karels
Area Sales Manager, (800) 942-4223

We are pleased to offer the following quotation for appliances. Prices shown are for products ordered for delivery during the term of May 24, 2019 to December 31, 2019 ("Term") if accepted by June 23, 2019. Any product ordered for delivery after the Term, regardless of order date, will be subject to future price increases. All purchases made by Buyer in response to this Quotation are subject to and governed by GEA's Standard Terms and Conditions of Sale. For additional models, please call 1-800-523-7277.

Energy Star specifications and minimum energy standards are subject to change at anytime by the Environmental Protection Agency (EPA) and Department of Energy (DOE). As of the date of this quote, all GEA Energy Star (R) qualified products listed on this quote meet the Energy Star requirements and all products meet the minimum energy standards that are in effect as of the date of this Agreement as set by the EPA and the DOE, respectively. Regardless of the firm pricing in this quote, to the extent that a change in Energy Star specifications or minimum energy standards affects the product in this quote, GEA may increase the price of the products so affected or make such products unavailable to Customer. GEA and Customer will attempt to renegotiate such changes in price and or products at the time, but absent mutual agreement neither party is bound to this quote on the affected products.

Appliance prices include Delivery, uncrating, distribution to individual living units and disposal of all cartons.

**Due to the US Government's imposition of multiple tariffs affecting various GE Appliances' products and components, GE Appliances will include a 2% surcharge at the time of invoice effective 1/7/2019. **

Qty	Model	Description	Price	Tax @ 7.875%	Extension Per Appliance
REFRIGERATION					
25	GTE16DT	TOPMOUNT NO FRO GE TOP FREEZER 16 CuFt-Wire, new handle, EStar	$525.00	41.34	566.34
25	GTS18CT	Ref, 17.5 Cu Ft, Wire, Clear Crisper, Smooth Handle	531.00	41.82	572.82
25	GTE18CT	Ref, 17.5 Cu Ft, Wire, Clear Crisper, Smooth Handle, E-Star	558.00	43.94	601.94
1	GPE12FG	Refrig, 11.5 Cu Ft, 24"W, LED, Glass, Ice Maker Ready, E-star	529.00	41.66	570.66
1	GSM2200	Dishwasher,Undersink,5 cyc,2 opt	529.00	41.66	570.66
25	GSE25GG	Ref, SxS, 25 Cu Ft, Gloss, 35 3/4 Width, Trimless Dispenser, E-Star	1,095.00	86.23	1,181.23
WALL OVEN					
25	JRS06B	Elec Oven, BG Window, New ERC	557.00	43.86	600.86
25	JRP20B	Elec Wall Oven, BG Window, New ERC	637.00	50.16	687.16
25	JRP20W	Elec Wall Oven, WG Window, New ERC	637.00	50.16	687.16
25	JGRP20BE	Gas Oven, BG Win, New ERC	908.00	71.51	979.51
25	JKS3000D	Sgl Wall Oven, 27", Slf Cln, WiFi, ADA	755.00	59.46	814.46

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COOKTOP					
25	JP3530T	Cooktop,30" Glass, 6/9" Dual, 8" PB	427.00	33.63	460.63
25	JP3530D	Cooktop,30" Glass, 6/9" Dual, 8" PB	410.00	32.29	442.29
25	JP3030D	Cooktop,30" Glass, 2-8" Power Boil,2-6"	320.00	25.20	345.20
25	JP3030T	Cooktop,30" Glass, 2-8" Power Boil,2-6"	340.00	26.78	366.78
1	JGP3030D	Gas Cktop,30" Sealed,Deep-Recessed,Cont	356.00	28.04	384.04
RANGE					
25	JB480D	Elec Range,Front Cntrls,S/C,2-6",2-8"	621.00	48.90	669.90
25	JD630D	Range,Drop-in,30", 6/9 PB, 2-6, 1-8	859.00	67.65	926.65
25	JS645D	5.3 Cu. Ft., Self Clean, Dual 9/6" 3100W	775.00	61.03	836.03
HOOD/OTR					
1	JN327	30" Hood, Non-Vented, Standard	53.00	4.17	57.17
1	JV338	30" Hood,3 Way Conv,2-Speed	53.00	4.17	57.17
1	JVX5360D	36" Hood, Convertible, 4 Speed, 310 CFM	148.00	11.66	159.66
1	JEM3072D	MWO,0.7cf, 700W, Convenience Cont	113.00	8.90	121.90
1	JES1460D	Microwave, 1100W, 1.4,Sensor,TT	129.00	10.16	139.16
DISHWASHERS					
1	GSD3300	Dishwasher,5 Cyc,3 Opt,5 level,E-Star	259.00	20.40	279.40
1	GSC3500	Dishwasher,Convertible,5 cyc,2 Opt	524.00	41.27	565.27
AIR CONDITIONING					
25	AJCM08ACG	A/C,26" B/I HM Cool,8,400 BTU,115V,Estar	449.00	35.36	484.36
25	AJCQ12ACG	A/C,26" B/I Cool, 12,000 BTU, 115V,Estar	481.00	37.88	518.88
25	AJCM10DCG	A/C,26"BI HM Cool,10,100 BTU,230V,Estar	459.00	36.15	495.15
25	AJCM12DCG	A/C,26"BI HM Cool,12,000 BTU,230V,Estar	481.00	37.88	518.88
25	AJCQ10ACG	A/C,26" B/I Cool, 10,200 BTU,115V, Estar	449.00	35.36	484.36
25	AJCQ10DCG	AC,26"BI Cool, 10,100/9,900 BTU,230/208V	459.00	36.15	495.15
1	RAB71B	Steel Wall Case Standard 13 3/4" Deep	64.00	5.04	69.04
1	RAB77B	Molded Poly Sleeve,Corrosion Resistant	78.00	6.14	84.14
1	RAK320P	Zoneline LCDI 230/208V 20A cord AZ45/65	26.00	2.05	28.05
1	RAK601B	Duct Ext 4500/6500 series	101.00	7.95	108.95
1	RAK6053	Duct Adapter for Zoneline AZ45/AZ65 ser.	167.00	13.15	180.15
1	AZ65H15DAB	ZONELINE, 14,600/14,300 BTU, 230/208V,Cooling w/Heat Pump, R410A Refrigerant	675.00	53.16	728.16
1	AZ65H15DAD	ZONELINE 14,600/14,300 BTU,230/208V,Heat Pump,R410A Refrigerant,Intrnl Cond. Rmv	809.00	63.71	872.71
LAUNDRY					
1	GE24STACK	Stacking Kit for 24" GE Front Load Lndry	22.00	1.73	23.73
1	GTW220AC	Washer,3.8 cf,4 lvl,10cyc,Hoses Included	410.00	32.29	442.29
1	GFD14ESS	4.3 Cu Ft, Stainless Drum, HE Sensor Dry	519.00	40.87	559.87
1	GTX22EAS	Elec Dryer ,6.2 cu ft,3 Temp, Alum.Alloy	410.00	32.29	442.29
1	GFW148SS	2.4 Cu Ft, Steam, Stainless basket	643.00	50.64	693.64
1	WCVH4800	Washer,FrontLd,24",2.2 cu ft, Estar	643.00	50.64	693.64
1	DCVH480E	Elec Dryer,24	519.00	40.87	559.87

GE APPLIANCES
a Haier company

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Appliance Contract Sales

16525 W 159TH Street
Suite 306
Lockport, IL 60441

May 24, 2019

Buyer:
Accessible Space Inc
2550 University Ave, W
Suite 330N
Saint Paul, MN 55114
Customer Phone: (800) 466-7722
Customer Fax: (651) 379-4678
Project Name:
Multi Family
Project Location:
St. Paul, M N 55114
Project Living Units: 25

Project Acct. No.: 12-VKY45

Area Sales Manager
(800) 942-4223
Ricky Karels

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Options

GTE17DT	TOPMOUNT NO FRO GE TOP FREEZER 17 CuFt, Wire, Estar	557.00	43.86	600.86
GTE18DT	TOPMOUNT NO FRO GE TOP FREEZER 18 CuFt, Wire, New Handle, Estar	558.00	43.94	601.94
GTS18DT	TOPMOUNT NO FRO GE TOP FREEZER 18 cuft, wire, new handle, non Estar	531.00	41.82	572.82
JB258D	Range,Elec,5.3,2-6",2-8",dual element bk	398.00	31.34	429.34
JS760D	Range,Conv, 5 Element, Warm Zone,Steam	859.00	67.65	926.65
GTX22GAS	Gas Dryer ,6.2 cu ft,3 Temp, Alum.Alloy	450.00	35.44	485.44
PDT145SG	Dishwasher, 18" B/I, Top Control, ADA	427.00	33.63	460.63
AJCQ06LCG	A/C,26" B/I Cool, 6,600 BTU, 115V, Estar	449.00	35.36	484.36
M006	DISP APPL REFR/RAC	28.00	2.21	30.21
M007	DISP NO REFRIGERNT	28.00	2.21	30.21

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BECOME A MARKET LEADER

Provide your tenants with the latest and most innovative appliances such as speed cooking Ovens, over-the-range Microwaves, self-cleaning Ranges, Energy Star Refrigerators, Dishwashers and Laundry

- 16,17 & 18 cubic ft. Top Freezer Refrigerators with best in class performance
- GEA long vent Dryers designed for multi-family installations
- Slate, Black Slate and Black Stainless color free-standing and built-in packages offering a package appearance that blends with a wide variety of kitchen finishes
- GEA Top Freezer Refrigerators the number one rated refrigerators in quality and dependability among Property Management Companies
- GEA offers Energy Star Top Freezer Refrigerator options in desirable color finishes that tenants are expecting in today's apartment communities, Stainless Steel, Slate and Black
- Full assortment of ADA compliant appliances, GEA offers stackable Front Load Laundry, 18"/24" Dishwashers, free-standing, self-clean cooking ranges, with front located controls, a single double wall oven with drop down door and ADA qualified Refrigerators
- With over 400 Energy Star qualified products, GEA can assist properties to meet the growing demand for energy efficiency
- GEA is the only manufacturer with factory-employed service technicians (over 800 nationwide), you can also place service calls online 24/7 at www.geappliances.com

Power-Up with GEA's Commercial Service Program, it is our commitment to finding new methods to make your professional life run smoother

- $150 flat rate labor, Commercial Pricing and most repairs are completed on first visit
- Authorized Wholesale Parts Pricing on genuine GEA parts, which is discounted well below retail
- Industry leading 5-year warranty on replacement parts and a 30-day labor guarantee
- To enroll in the CSP Program, please call our Customer Service representatives at (800) 626-8690

DAMAGE TO BUYER'S PROPERTY REPORTING REQUIREMENT: Damage to Buyer's property as a result of appliance delivery that is visible at the time of must be identified within three (3) business days from the date of delivery. Claim must be made within thirty (30) days from the date of delivery for property damage not visible at the time of delivery. Failure to comply may result in the claim being denied.

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To make a claim, Customer must fill out property damage claim form supplied by the GEA Sales Manager. In order to report a claim call Sedgwick Claims Management Services, Inc at 1-844-652-3105 or e-mail to 6906GEAppliances@sedwickcms.com. Buyer shall supply estimate for damage repair and photos of damaged areas, if requested. Buyer shall provide the Delivery Agent the opportunity to inspect the damage prior to repair.

GEA RETURNS POLICY for CUSTOMER ERROR or CUSTOMER CHANGES: All current line merchandise in original,unopened cartons,in good order will incur a $55.00 per unit restocking charge except hoods,disposers and accessories which will incur $15.00 per unit. Uncrated or damaged returns will incur a restocking charge of 25% of the unit price. Customer is responsible for freight on returns.Units shipped in error by GEA or delivered damaged may be returned without restocking or freight charges WITHIN 30 days of the original invoice date. Units returned after 30 days will incur the above restocking charges. All requests for returns must be made with 90 days of original invoice date - older products may not be returned to GE Appliances.

Free Standing and/or Slide-in Ranges included are shipped with Anti-Tip devices enclosed in the carton. Drop-in Ranges are supplied with lag screws. Installation of these devices provides a safety enhancement and is Required. If not shown above, installation can be arranged at additional cost in areas where uncrated delivery is available.

Effective January 1, 1996, the National Electric Code requires that new construction (including remodeling) utilize 4-conductor power connections (power cord or hard wired) to 120/240 or 120/208 volt electric ranges, wall-mounted ovens, counter-mounted cooking units, and clothes dryers. Local codes prevail, please verify requirements with your electrical inspector.

Note: Specifications contained in the Dryer Instructions, included with the product, may vary from some local code requirements. It is the responsibility of the Builder/Architect or Customer to assure compliance to local codes.

This quotation may contain an ADA qualified dishwasher that GEA has determined can be installed to meet ADA countertop height guidelines. If so, this dishwasher has been quoted at your request to meet the needs of your ADA accessible units for GLDT696J and PDW1860K series only.

Zoneline™model numbers ending in "C" are for coastal applications. Use of non corrosion protected units ("C" Models) in coastal applications voids the warranty. Zoneline™model numbers ending in "D" have the ICR System (Internal Condensate Removal.) Units with ICR are not for use in coastal applications. Use in coastal applications voids the warranty. It is the customers responsibility to verify all state and local codes to ensure product meets local code requirements. Zoneline™model numbers ending in "M", make up air units, will increase the room load requirements for both heating and cooling. Consult with your architect or engineer for proper BTU sizing, application, and suitability of this product for your property.

Specifications of Zoneline and Built-In Air Conditioners are subject to change.

It is strongly recommended that a GEA or GEA approved rear grill be used with Zoneline product. Use of custom made or competitive grills may restrict air flow to the unit, resulting in lower capacity and efficiency. Consult your ASM if using a custom grill.

This quotation includes Heating and/or Cooling equipment. Proper application is essential for satisfactory performance over a wide range of operating conditions. It is strongly recommended that a professional engineer determine proper application.

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LIMITED PARTS AND LABOR WARRANTY: For One Year from date of original purchase, we will provide, free of charge, parts and on-site service labor to repair or replace any part of the Zoneline™ that fails because of a manufacturing defect. For Five Years from date of original purchase, we will provide, free of charge, parts and on-site service labor to repair or replace any part of the sealed refrigerating system (the compressor, condenser, evaporator, and all connecting tubing) that fails because of a manufacturing defect. For each of the above warranties: transportation expense to and from a service shop and shop service labor if required will be free of charge.

LIMITED 2ND - 5TH YEAR PARTS WARRANTY: For the 2nd - 5th year, from date of original purchase, GE Appliances will provide, free of charge, parts that fail as a result of a manufacturing defect. Parts covered in the 2nd - 5th years parts warranty are fan motors, switches, thermostats, heater, heater protectors, compressor overload, solenoids, circuit boards, auxiliary controls, thermistors, frost controls, icr pump, capacitors,varistops, and indoor blower bearing. Freeze Sentinel™, frost controls, ICR™ pump, capacitors, varistors, and indoor blower wheel bearing. This is a limited parts only warranty, and does not include shop service labor or transportation to and from service shop.

Haier US Appliance Solutions, Inc. dba GE Appliances ("GEA") STANDARD TERMS AND CONDITIONS OF SALE

All orders accepted by GEA are governed by, and subject to, these Standard Terms and Conditions of Sale. Buyer hereby agrees to these Standard Terms and Conditions for all orders placed, except, and only to the extent, the parties have separately negotiated and executed a mutually agreeable written agreement governing Buyer's purchases from GEA which are inconsistent with these Standard Terms and Conditions.

1. PRICES AND TERMS: GEA's quoted prices do not include any present or future sales, use, excise, value-added or similar taxes and, where applicable, such taxes shall be billed as a separate item and paid by the Buyer. Prices contained in any GEA quote are firm for 90 days, unless the Quote expressly provides for a longer period. Notwithstanding firm pricing, in the event of an increase in either the Metals PPI series ID WPU10 or the Rubber and Plastic PPI Series ID WPU072 of 3% or more in any 6 month period after the effective date of this Quote, or the imposition of a tariff or other charge by any government entity, GEA reserves the right to increase prices during the term of any project with 30 days prior notice. All sales are made f.o.b. point of shipment and title is thereby transferred to the Buyer. Unless otherwise specified on the GEA quote, extra labor or mechanical facilities required to unload shall be provided by Buyer without cost to GEA. Subject to a credit evaluation in GEA's sole discretion, payment shall be due Net 10th Prox, unless otherwise specified in the GEA quote. If at any time, in GEA's sole discretion, Buyer's financial condition does not justify the terms of payment specified, GEA reserves the right to require payment before shipment or delivery. Every delivery shall be considered for billing purposes a separate and independent transaction and payment therefore shall be made accordingly. All of GEA's pricing information provided to Buyer is confidential information.**2. NONPAYMENT:** In the event that Buyer fails to make payment for merchandise purchased from GEA, GEA in its absolute discretion shall have the right to refuse to make any further deliveries to Buyer, regardless of any other contractual agreements to the contrary. GEA may deduct, withhold or setoff any amounts that Buyer owes to GEA("Buyer Indebtedness"), whether such Buyer Indebtedness is in dispute or not, and whether or not such Buyer Indebtedness arises out of a merchandise purchase or any other transaction between GEA and Buyer. Buyer hereby grants to GEA a purchase money security interest in all of the merchandise delivered hereunder, or the proceeds derived from the sale thereof, to secure the performance or payment of the obligations of the Buyer hereunder. Buyer shall keep and maintain the merchandise in good order and be responsible to GEA for loss or damage by any cause, and shall pay taxes and assessments levied against the same. In the event of Buyer's default in the payment of the goods, GEA may retake the goods or may take advantage of any other remedies available to a secured party under the Uniform Commercial Code of the State in which delivery is made. In such event, Buyer agrees that all sums previously paid hereunder shall be retained by GEA as reasonable compensation for the use of said personal property and Buyer further agrees to reimburse GEA for all expenses, including reasonable attorney fees arising as a result of GEA's enforcement of Buyer's payment obligations. In order to perfect GEA's security interest, GEA may file a financing statement with appropriate authorities which the Buyer shall sign upon request. In addition, GEA is hereby irrevocably appointed an agent of Buyer to sign financing statements on Buyer's behalf for the purpose of filing such financing statements with appropriate state and/or local authorities in order to perfect GEA's security interest.**3. DELIVERY:** GEA shall deliver the merchandise in accordance with the delivery schedule agreed to by the parties to this contract but, GEA shall not be liable for delays in delivery if occasioned by accidents or disruptions, including but not limited to fires, explosions, breakdowns of essential machinery or equipment and power shortages, transportation or storage delays, labor difficulties, or failure or delay in its usual source of supply. In addition to such causes, GEA shall in no event be liable for delays caused by factors beyond its reasonable control. In the event of any such delay, the date of delivery or performance shall be extended for a period equal to the time lost by reason of the delay. GEA reserves the right to allocate, in its business judgment, merchandise for its own use among customers, including customers not then under contract. In the event that any merchandise called for in a purchase order becomes discontinued by the manufacturer, or otherwise unavailable, GEA may in its discretion and without liability to Buyer, substitute an available comparable model or merchandise therefor. However, Buyer may at any time within ten (10) days after being notified of such substitution cancel so much of any purchase order as relates to such discontinued or unavailable merchandise.**4. WARRANTY:** The applicable consumer product warranty constitutes the sole and exclusive warranty with respect to any products purchased by Buyer from GEA. EXCEPT TO THE EXTENT EXPRESSLY STATED OTHERWISE IN THE APPLICABLE PRODUCT WARRANTY, NO IMPLIED OR STATUTORY WARRANTY, OR WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE APPLIES TO ANY MERCHANDISE SOLD BY GEA TO THE BUYER. Selection, application and installation of any merchandise is the responsibility of Buyer, not of GEA.**5. LIMITATION OF LIABILITY:** GEA's liability on any claim for loss or damage arising out of (i) the purchase, sale or use of GEA products or merchandise or (ii) the performance or breach of these standard terms and conditions, regardless of whether such claim is based on contract, warranty, tort (including negligence), strict liability, or other grounds, shall not exceed the price Buyer paid to GEA for such goods or part thereof involved in the claim. GEA shall not in any event be liable to Buyer, whether as a result of breach of contract, warranty, tort (including negligence), strict liability or other grounds, for special, penal, consequential or incidental damages including, but not limited to loss of profits or revenue, loss of use of the product or any associated product, cost of capital, cost of substitute products, facilities or services, or claims of customers of the Buyer for such damages.**6. INSPECTION:** Except as otherwise provided in GEA's printed warranty, it shall be Buyer's responsibility to promptly examine and inspect merchandise delivered and to notify GEA in writing within ten (10) days of delivery of any complaint that relates to such merchandise, including shortage, nonconformance, or damage. Failure to notify GEA shall constitute a waiver of the condition objectionable to the Buyer.**7. INSTALLATION:** In the event that GEA will provide installation or other services, Buyer agrees to prepare the premises to permit the installer to locate or place the merchandise in its proper location without obstacles or hindrances of any kind. If any GEA quote or other written agreement should provide for installation, hook-up or connection of a product, Buyer agrees that GEA is not obligated to furnish any material to complete such installation, hook-up or connection except to the extent such materials are included with the product or the express provisions of a quote or written agreement. In the event that governmental regulations or actions or disputes of labor unions interfere with delivery or installation beyond the point of tailgate delivery at the designated project location, such tailgate delivery shall, without further obligation to GEA, constitute delivery and installation.**8. BUYER'S REPRESENTATION:** Buyer represents to GEA that the merchandise supplied hereunder shall not be sold to any customer located outside the contiguous forty-eight (48) United States, unless otherwise authorized in writing by GEA. If Buyer is purchasing the merchandise on a GEA project quote, GEA has provided the quoted pricing in reliance upon Buyer's representation that said merchandise will be resold to the contract customer(s) and/or installed in the building project(s) shown on quote. Buyer agrees that if, contrary to this representation, the merchandise is not resold to the contract customers and/or installed in the building project(s) shown on the quote, Buyer will inform GEA of that fact and GEA may, at its option, terminate the quote with no further liability on GEA's part. Further, if Buyer resells said merchandise as a separate item, Buyer agrees to maintain complete records of such merchandise, including model number, date of sale and name and address of the customer, and to permit GEA to review such records at a time scheduled with Buyer during normal business hours. If Buyer fails to maintain such records or to permit the review as provided herein, GEA may, at its option, terminate the quote with no further liability on GEA's part. **9. GENERAL:** Buyer agrees to give GEA prompt and full cooperation in response to GEA's request for action on matters reasonably identified as relating to consumer product safety issues. Buyer's assignment of this agreement, or any rights to purchase merchandise from GEA, shall be void without GEA's express written consent. GEA may assign the Quote to a purchaser of a material portion of the assets of GEA's Appliances business. The terms and conditions set forth herein constitute the entire and only agreement between the parties with regard to the purchase of merchandise by Buyer from GEA. Other than order quantity contained in a Buyer purchase order, GEA specifically and expressly rejects any and all other terms or conditions contained in any and all of Buyer's printed forms. Any representation, promise or condition,(whether set forth in printed forms utilized by the Buyer or otherwise) which is not fully set forth herein or expressly incorporated herein by reference shall not be binding on either party. No alteration or modification of these terms and conditions shall be valid or binding upon GEA unless made in writing and signed on behalf of GEA by one of its authorized representatives. If Purchaser is procuring Products or Services on behalf of the US Government, Purchaser agrees that all Products and Services provided by Seller meet the definition of a commercial-off-the-shelf (COTS) or commercial item as those terms are defined in FAR 2.101. Purchaser agrees the subparagraph terms of FAR 52.212-5(e) or 52.244-6 (whichever is applicable) apply only to the extent applicable to COTS or commercial items and only as appropriate for the dollar value of this order. Buyer has sole responsibility for ensuring all merchandise purchased by Buyer from GEA is in compliance with any and all governmental project regulations or requirements, including, but not limited to the Buy American Act, American Recovery Reinvestment, or any mandatory union labor requirements. With regard to any terms related to Buy American Act or Trade Agreements that may be applicable to this Agreement, the country of origin of Products is unknown unless otherwise specifically stated by GEA. Purchaser agrees any Services offered by Seller are exempt from the Service Contract Act of 1965 (FAR 52.222-41)

PROPERTY IMPROVEMENT by HD SUPPLY

HDS Information		Customer Information		Quote Information		Additional Services	
		Account Name:	Accessible Space Inc				
Proj Spec:		**Main Account #:**	1431282	**Created Date:**	5/23/2019	**Kitting:**	No
Sales Rep:	ANDREW BOURKE	**MRO Account #:**		**Revision Date:**	5/23/2019	**Installation:**	No
Tel:	(904) 466-4144	**Rehab Account #:**		**WR #:**	1951461	**In-Unit Delivery:**	No
Fax:	1.888.293.1649	**System Quote #:**	Q-49718	**WR Name:**	Vizient Supply Inc	**Uncrated:**	No
		Shipping Address:	2550 University Ave W, # 330N Saint Paul , MN 55114-2014	**PO #:**			
		Purchaser:	David Lackland	**Floorplan:**	All Floorplans		
		Telephone #:	(651) 645-7271	**Floorplan Material #:**	All Floorplans		
		Fax #:	(651) 645-0541				

Comments

N/A

Instructions

♦ The Order Quantity is a multiple of the package quantity

♦ Prices quoted are valid through **March 23, 2020** or until the next catalog is published with the following exceptions. Pricing for **Appliances, Water Heaters and HVAC** may be adjusted Quarterly. Special Order Items are priced at time of order.

♦ Market conditions, increases in delivery costs and fluctuations in the commodity market may require us to adjust our prices on select items. In the event there are price changes, we will inform you of the adjusted price prior to placing the order.

♦ **Standard 90 day return policy applies to all stock items, which must be in original unopened packaging**

♦ **Special order products are non-returnable**

SKU	DESCRIPTION	PKG QTY	FLOOR PLAN	CATEGORY	ORDER QTY	CUSTOMER PRICE	NET TOTAL
285770	Hotpoint 20" Electric Range White	1	Group1	Appliance	26	$444.00	$11,544.00
281151	Broan 21 In Wht Range Hood Non Vented	1	Group1	Appliance	29	$64.61	$1,873.69

Total Cost	
Total Before Sales Tax	$13,417.69
Sales Tax	7.88%
Total including Tax	**$14,475.00**

Signature Block			
Customer Signature		**Date of Order**	

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If the reader of this document is not the intended recipient, or has received this message in error, you are hereby notified that any review, dissemination, distribution or copying of this communication is strictly prohibited.

Titan **C**onstruction **S**ervices LLC
4095 Ponderosa Way
Las Vegas, NV 89118

B-2 Residential & Small Commercial
C-4 Painting & Decorating
C-3 Carpentry
C-5 Concrete
C-18 Masonry

Office (702) 597-0878
Fax: (702) 597-2714

License#: 0081731 $950,000
0081732 $500,000
0081733 $500,000
0082833 $500,000
0082834 $500,000

CHANGE ORDER REQUEST

Date: May 23, 2019

Owner: Accessible Space, Inc. **Attn:** Dave Lackland	**Phone**: (805) 270-4591 **Email**: dlackland@accessiblespace.org
Street: 960 W. Grand Ave. Suite J	**Job Description**: Excluded Renovations and Repair Estimates
City, State, Zip: Grover Beach, CA 93433	**Job Location**: Ruby Duncan Manor (500 W. Owens Ave.)

IN CONSIDERATION OF THE PROMISES HEREIN CONTAINED. IT IS MUTUALLY AGREED AS FOLLOWS:

(1) CONSTRUCTION: Contractor to furnish all labor and materials necessary to improve the value of these premises in a workmanlike manner and complete the following work as detailed under the following Terms and Specifications.

(2) Scope of Work: **RUBY DUNCAN MANOR EXCLUDED RENOVATIONS AND REPAIR ESTIMATES**

(3) Specifications: Location - Bldg. "A" (East), Bldg. "B" (West), Bldg. "C" (North)

EXTERIOR STUCCO: RE-DASHING AND STUCCO REPAIRS

1. Pressure wash the exterior of the buildings to remove any dirt, grime and loose debris in preparation for stucco repairs and painting.
2. ***Re-dashing:*** Apply a brown and finish stucco to the re-dashing areas of repairs to resemble the existing style and texture as close as possible.
3. Prime/seal the repair areas in preparation for painting.
4. Remove the damaged or missing sections of stucco at the repair areas. Install paper and wire as necessary then apply stucco to resemble the existing texture and style as close as possible.
5. Prime/seal the repair areas in preparation for painting.

Note: *Due to the existing condition of the stucco we may encounter additional repairs during the removal process. If additional locations are identified, we will walk the property with Accessible Space to review these locations and provide a change order for consideration and approval.*

Stucco Full System: (Approx. 186 SF) Re-Dashing Repairs (Approx. 617 SF)

Exterior Stucco Amount: $18,274.00

WINDOW REPLACEMENT AND STUCCO REPAIRS: 3 Sizes 76" x 48", 48" x 51" and 35" x 29"

1. Detach and reset of these is to be done by others and is not included in this estimate.
2. Detach the existing wrought iron security bars (see wrought iron scope for repairs of security bars)
3. Remove the stucco around each window to expose the mounting hardware for each window.
4. Remove and replace the windows using ***Milgard*** dual pane vinyl clad energy efficient windows with a minimum U factor of at least 0.35
5. Install waterproofing membrane flashing, paper and wire at each window replacement location.
6. Apply stucco using the (3) coat method to resemble the existing style and texture as close as possible.
7. Seal/prime the repair areas in preparation for painting. (83 windows) (1,346 sf of stucco repair)

North Building: Units 1 thru 12: (8) - 76" x 48", (8)-48" x 51" and (12) 35" x 29"
South West Building: Units 16 thru 20: (4) - 76" x 48", (12)-48" x 51" and (9) 35" x 29"
South East Building: Units 21 thru 30: (6) - 76" x 48", (14)-48" x 51" and (10) 35" x 29"

Window Replacement Amount: $87,258.00

EXTERIOR PAINTING: 19,832 sf

1. Pressure wash the buildings to remove any dirt, grime and loose debris in preparation for painting.
2. Seal/prime any exposed stucco as necessary then apply a finish coat of paint (Dunn Edwards or equal).
3. Scrape, sand or wire brush the fascia and soffit to remove and dirt, grime and loose debris, prime all exposed wood, as necessary. Apply a finish coat of paint (Dunn Edwards or equal).
4. Apply a finish coat of paint (Dunn Edwards or equal).
5. Color to be choice of owner (to be determined).

North Building: Units 1 thru 12: Body 6,642 sf, Soffits 1,242 sf, Gable ends 136 sf
South West Building: Units 16 thru 20: Body 4,133 sf, Soffits 659 sf, Gable ends 260 sf
South East Building: Units 21 thru 30: Body 5,458 sf, Soffits 924 sf, Gable ends 378 sf

Exterior Painting Amount: $30,620.00

KITCHEN RENOVATIONS: ONE BEDROOM, STUDIO AND STUDIO ADA UNITS

Kitchen Cabinets and Countertops:

1. Remove/demo the existing base, wall cabinets and countertops and haul away.
2. Replace the base and wall cabinets in one bedroom units to resemble the existing floor plan.

Cabinet Breakdown: One Bedroom 22 Units

Cabinet Breakdown: Studios 5 Standard Units

Cabinet Breakdown: 3 ADA Studios
Replace the base and wall cabinets in ADA studio units to meet UFAS/ADA new floor plan.

Note: Final cabinet layout/design to be approved prior to final contract approval.

Cabinets and Countertops Amount:	$176,585.00 (Total all 30 Units)
	-$27,300.00 (4 Units) Included in Current Scope/Cost
Revised Total:	**$149,285.00**

(4) Payment: Titan Construction Services, LLC proposes to perform the above work, (subject to any additions and/or deductions) pursuant to an authorized change order.

SUMMARY AND GRAND TOTAL - EXCLUDED RENOVATIONS AND REPIARS

Exterior Stucco Repair:	**$18,274.00**
Window Replacement	**$87,258.00**
Exterior Painting:	**$30,620.00**
Cabinets and Countertops:	**$149,285.00**

Change Order Amount: $285,437.00 Down Payment (if any): N/A Payable as Follows: TBD

Original Contract Amount: $372,165.00

Increase by this Change Order: $285,437.00

Total Amount: $657,602.00

(5) Commencement and Completion of Work:

Approximate Start Date: TBD Approximate Completion Time: TBD

(6) Acceptance: This contract is approved and accepted. I/We understand there are no oral agreements or understandings between the parties of this agreement. The written terms, conditions and plans (if any) and specifications in this contract are the entire agreement between the parties. Changes in this agreement shall be done by written change order only with the express approval of both the parties. Changes may incur additional charges.

Peter J. Cicchetti
Submitted By
Titan Construction Services, LLC

_____
Approved and Accepted
Owner / Representative
Date of Acceptance _____

TERMS AND CONDITIONS

Terms and Conditions: Unless otherwise specified herein, the following terms and conditions are expressly incorporated into this contract agreement.

A. Contract, Plans, Specifications. Permits and Fees: The work described in this contract shall be done according to the plans and specifications (if any) except in the case of conflict when the term and conditions of this contract shall have control over both plans and specifications. All required building permits will be paid by the OWNER of the said premises described within this CONTRACT and will be obtained by TITAN CONSTRUCTION SERVICES, LLC. All other charges, taxes, assessments, fees, etc. of any kind whatsoever, required by any government body, telephone or utility company shall likewise be paid by the OWNER.

B. Extra work or Change Order: Should Owner, construction lender, or any government body or inspector require any modification to the work covered under this contract any cost incurred by TITAN CONSTRUCTION SERVICES, LLC shall be added to the total sum as extra work and OWNER agrees to pay TITAN CONSTRUCTION SERVICES, LLC his normal selling price for such extra work. All extra work as well as any modifications to the original contract shall be specified and approved by both parties in writing. All extra work shall become part of this contract and shall be incorporated herein.

C. Notice to Owner: Owner is responsible for the following: (a) to see that all necessary water, power, accesses to premises are provided at and during commencement of the work: (b) TITAN CONSTRUCTION SERVICES, LLC is not responsible or obligated to correct any existing defects which are recognized during the course of the work. TITAN CONSTRUCTION SERVICES, LLC shall have no liability for correcting any existing defects such as but not limited to, dry rot, structural defects and code violations.

D. Conditions of Warranty: It will be the duty of the OWNER, his agent or tenant to ascertain with assurance that the leaks reported are entering through the areas covered by this contract agreement and the cause of the leakage is defective materials or workmanship applied by contractor, and not from other causes or sources. In the event the contractor's investigation proves the trouble is a result of causes other than leaks through the roof area covered by this agreement, there will be a charge made to cover the cost of the investigation paid for by the OWNER.

E. Clean Up: Upon completion of agreement, and after removing all debris and surplus materials, wherever possible, TITAN CONSTRUCTION SERVICES, LLC will leave the premises in a neat, broom clean condition. Any debris consisting of dust, dirt, asphalt or small bits of material that settle into attics, garage areas or any other area being worked over with open beam or no attic, is unavoidable and TITAN CONSTRUCTION SERVICES, LLC shall not be responsible for this clean up.

F. Ponding or Collection of Water: TITAN CONSTRUCTION SERVICES, LLC is not responsible for correcting existing surfaces to eliminate ponding or collection of water unless included in the contract terms herein.

G. Termite, Dry Rot and Concealed Damage: TITAN CONSTRUCTION SERVICES, LLC will inform OWNER of any termite, dry rot and concealed damages but shall not be obligated to perform any work to correct damage caused by termites or dry rot unless expressly included in the written specifications herein. TITAN CONSTRUCTION SERVICES, LLC is not responsible to repair any concealed damages any work done by TITAN CONSTRUCTION SERVICES, LLC to remedy any such deterioration will only be done as extra work and such may incur an additional cost.

H. Residential Construction Recovery Fund: NRS 624.440 Payment may be available from the recovery fund if you are damaged financially by a project performed on your residence pursuant to contract, including construction, remodeling, repair or other improvements, and the damage resulted from certain specified violations of Nevada law by a contractor licensed in this state. To obtain information relating to the recovery fund and filling a claim for recovery from the recovery fund contact the Nevada State Contractor Board.

STATE CONTRACTORS BOARD
9670 GATEWAY DRIVE, SUITE 100
RENO, NEVADA 89521
TELEPHONE NUMBER: (775) 688-1141

STATE CONTRACTORS BOARD
2310 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89074
TELEPHONE NUMBER: (702) 486-1100

I. Legal Fees: in the event that it becomes necessary to retain the services of an attorney in order to enforce any of the provisions of this agreement, the prevailing party shall be entitled to recover reasonable attorney's fees and costs.

J. Bid Limit: Titan Construction Service, LLC legal bid limit is $950,000 per bid.

*PJC*_____Initials
TITAN CONSTRUCTION SERVICE, LLC

_____Initials
OWNER

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
14

DEPARTMENT: Community Services **CONSENT**
DIRECTOR: Kathi Thomas-Gibson

SUBJECT:
For possible action to approve an agreement between City of Las Vegas and Veterans Village 4 LLC for the master lease of 10 rental units, located at 2512 Fremont Street, to serve as bridge and/or transitional housing for homeless individuals in the City of Las Vegas ($101,000 - General Fund/Redevelopment Set-Aside) - Ward 3 (Diaz)

FISCAL IMPACT:
Budget Funds Available
Amount: $101,000
Funding Source: General Fund/Redevelopment Set-Aside
Dept./Division: Office of Community Services

PURPOSE/BACKGROUND:
The Master Lease Program will support the Courtyard Homeless Resource Center by providing bridge and/or transitional housing for guests who meet the eligibility requirements; guests will also receive case management and supportive services as necessary in order to transition them into permanent housing and self-sufficiency. The master lease agreement with Veterans Village 4 LLC will provide 10 rental units for a period of one year with the option to renew for five additional terms.

RECOMMENDATION:
Staff recommends that the City Council approves and authorizes the Mayor to sign required agreements after they have been approved as to form by the City Attorney.

BACKUP DOCUMENTATION:
1. Veterans Village 4 LLC and City Lease of 2028 Fremont

LEASE AGREEMENT

between

Veterans Village 4, LLC

and

City of Las Vegas

LEASE AGREEMENT

THIS LEASE AGREEMENT (this "Lease"), is made and entered into by and between Veterans Village 4, LLC, ("Landlord"), and City of Las Vegas ("Tenant") as of the later date written on the signature page herein executed by both parties. In consideration of the mutual promises and representations set forth in this Lease, Landlord and Tenant agree as follows:

ARTICLE 1. SUMMARY AND DEFINITIONS

The following terms and provisions of this Lease are included in this Section 0 for summary and definitional purposes only. If there is any conflict or inconsistency between this Section 0 and any other term or provision of this Lease, the other term or provision of this Lease shall control:

(a)	**Landlord:**	Veterans Village 4, LLC
(b)	**Landlord's Notice Address:**	2512 Fremont, Las Vegas, NV 89104
(c)	**Tenant:**	City of Las Vegas
(d)	**Tenant's Notice Address:**	495 S. Main St, Las Vegas, Nevada 89101
(e)	**Premises:**	The parcel, APN: 139-35-803-011, of real property containing the Common Areas, the Premises, as shown on Site Plan Exhibit and all other buildings and improvements now or hereafter situated thereon.
(f)	**City Units:**	Those certain 10 units out of a total of 56 Rentable Units in the existing building commonly known as Fremont Gardens II.
(g)	**Premises Address:**	2028 Fremont, Las Vegas, Nevada, 89101
(h)	**Lease Term:**	1 year with the option to renew for 5 additional 1 year terms.
(i)	**Tenant's Permitted Use:**	Placing individuals and families for short-term housing assistance.
(j)	**Lease Commencement Date:**	August 1, 2019
(k)	**Security Deposit:**	$8,000 (10 Units * 725) Plus $75 for Security each unit
(l)	**Funds Due at Lease Signing:**	$15,750
(m)	**Tenant Improvement Allowance:**	None
(n)	**Tenant Improvement Start Date:**	N/A
(o)	**Rent Abatement:**	None
(p)	**Rent Annual Increases:**	Three Percent (3%) on August 1stof each year.
(q)	**Base Rent:**	**$**7,750 per month for 10 units which includes additional charges of $50.00 per unit per month as a utility charge
(r)	**Occupancy Date:**	August 1, 2019
(s)	**Tenant's Share of Operating Expenses:**	N/A

(t)	**Office Hours:**	24 X 7 X 365
(u)	**Parking:**	Non-exclusive use
(v)	**Pylon Sign Fee:**	None
(w)	**Landlord's Broker:**	None
(x)	**Tenant's Broker:**	None

ARTICLE 2. PREMISES/RIGHT TO USE COMMON AREAS

Landlord leases to Tenant and Tenant leases from Landlord, the City Units, upon the terms and conditions set forth in this Lease. Tenant and Tenant's officers, employees, agents, contractors, invitees, and sub-tenants (collectively, "Tenant's Agents") shall have a non-exclusive license during the Lease Term to use the Common Areas in common with other users thereof. Tenant's right to use the Common Areas is subject to all the terms of this Lease, all applicable Laws and the rules and regulations established from time to time by Landlord in writing for the Premises (the "Rules and Regulations"). "Common Areas" means those areas within the Premises that are provided by Landlord for the use, benefit and enjoyment of all occupants of or visitors to the Premises, including, but not limited to, pedestrian walkways, landscaped areas, service or common corridors, walkways, restrooms, non-structural portions of the roof and exterior walls, throughways, loading areas, Parking Facilities and roads, all as generally shown on Site Plan Exhibit and such other areas (outside of the Premises) that Landlord may designate from time to time as common areas of the Premises. "Parking Facilities" means those areas designated for automobile parking within the Premises. This Lease is subject to all liens, encumbrances, parking and access easements, restrictions, covenants and all other matters of record. Landlord shall have the right to reasonably regulate or restrict the use of the Common Areas.

ARTICLE 3. TERM

The Lease Term shall begin on the Lease Commencement Date and shall be for the period set forth in Section 1.1**.**

ARTICLE 4. MINIMUM MONTHLY RENT

Tenant shall pay to Landlord, without deduction, setoff, prior notice, or demand (an invoice may or may not be sent), the "Rent", payable to the Landlord on the first day of each calendar month during the Lease Term.

Beginning on the first day of the 13th month from Lease Commencement Date and continuing annually thereafter, the monthly Minimum Monthly Rent payable under Section 4.1 of this Lease shall be increased 3% annually as per paragraph 1.1 (p).

ARTICLE 5. ADDITIONAL RENT

Additional Rent. All amounts to be paid by Tenant under this Lease, other than Minimum Monthly Rent, shall be deemed to be additional rent ("Additional Rent") for the purposes of this Lease, whether or not designated as such, and shall be payable by Tenant in monthly installments paid on the first day of each calendar month together with the Minimum Monthly Rent. As used in this Lease, the term "Rent" shall mean Minimum Monthly Rent and Additional Rent.

Operating Expenses. The term "Operating Expenses" is defined in Exhibit "C" to this Lease. All Operating Expenses shall be borne by Landlord.

ARTICLE 6. PARKING

Tenant shall at all times comply with the rules and regulations established from time to time by Landlord for the Parking Facilities (the "Parking Rules and Regulations"). In no event will Landlord be liable for any loss, damage or theft of, to or from any vehicle at the Premises.

ARTICLE 7. RENT TAX AND PERSONAL PROPERTY TAXES

Reserved.

ARTICLE 8. PAYMENT OF RENT/LATE FEES

Tenant shall pay Rent to Landlord at the address set forth in Section Article 1(a) of this Lease, or to another person or at another address as Landlord may from time to time designate in writing. Rent not received in the Landlord's office by mail or in person by the fifth (5th) day of the calendar month by 5 pm local time (or if the 5th day of the calendar month falls on a weekend then the prior business day) shall, without notice, be assessed a late fee of five percent (5%) of the total delinquent amount and is immediately due. Landlord on any amount owed and past due as of 5 pm local time of the 6th calendar day will charge the Tenant interest at the rate of .04% per day (12% APR) of total amount due including late fee. Tenant not receiving an invoice from Landlord or mail postmarked by the 5th does not excuse Tenant from late or interest charges. Landlord and Tenant agree that the late charge and interest charge represents a reasonable estimate of such costs and expenses and is fair compensation to Landlord for its loss suffered by such nonpayment by Tenant.

ARTICLE 9. SECURITY DEPOSIT

Tenant shall, upon execution of this Lease, deposit with Landlord the Security Deposit, in the amount defined in Section 1.1, as security for the faithful performance of all terms and provisions of this Lease by Tenant, which shall be returned to Tenant at the expiration or earlier termination of this Lease if Tenant has fully discharged its obligations hereunder. Tenant shall immediately replace any portion of the Security Deposit applied by Landlord to cure any failure of Tenant to comply with the terms of this Lease.

ARTICLE 10. CONDITION OF THE PREMISES

Tenant represents that Tenant has inspected the Premises, the City Unit,s and any tenant improvements currently existing therein and agrees to accept the same "as-is" without any agreements, representations, understandings or obligations on the part of Landlord to perform any alterations, repairs or improvements. Prior to the Occupancy Date, if Landlord allows Tenant to enter the City Units, any work performed by Tenant or any fixtures or personal property moved onto the Premises shall be at Tenant's own risk and neither Landlord nor Landlord's agents or contractors shall be responsible to Tenant for damage or destruction of Tenant's property. Any such early entry into the Premises by Tenant will be subject to all terms and conditions of this Lease (except for the payment of Rent).

ARTICLE 11. ALTERATIONS

Tenant shall not make or cause to be made any structural additions or alterations of any kind to the Premises and may not make any non-structural additions or alterations without Landlord's prior written consent, which consent may be withheld or granted in Landlord's sole and absolute discretion. Landlord retains the right, as a condition to any consent granted under Article 10 or this Article 11, to place reasonable conditions upon its consent such as, but not limited to, conditions relating to insurance required to be carried by Tenant's contractors and Tenant's obligation to restore the Premises upon the expiration or earlier termination of this Lease. Tenant shall comply with NRS 108.234.

ARTICLE 12. PERSONAL PROPERTY/SURRENDER OF PREMISES

All personal property located in the Premises shall remain the property of Tenant and shall be removed by Tenant upon or prior to the expiration of the Lease Term or earlier termination of this Lease and Tenant shall promptly repair, at its own expense, any damage resulting therefrom. All electrical fixtures, plumbing fixtures, conduits, lighting, and other special fixtures that may be placed upon, installed in, or attached to the Premises by Tenant shall, at the expiration of the Lease Term or earlier termination of this Lease, be the property of Landlord. Upon the expiration of the Lease Term or earlier termination of this Lease, Tenant shall surrender the Premises in good condition, reasonable wear and tear excepted, and shall deliver all keys to Landlord. Tenant shall remove all window signage and building signage and make any necessary repairs to leave in good condition.

ARTICLE 13. LIENS

Tenant shall keep the City Units free from any liens arising out of work performed, material furnished, or obligations incurred due to the actions of Tenant or Tenant's Agents or the failure of Tenant to comply with any law. In the event any such lien does attach against the Premises and Tenant does not discharge the lien or post a bond (which under law would prevent foreclosure or execution under the lien) within thirty (30) days after demand by Landlord, such event shall be a default by Tenant under this Lease and, in addition to Landlord's other rights and remedies, Landlord may take any action necessary to discharge the lien at Tenant's expense.

ARTICLE 14. USE OF PREMISES/PROHIBITED USES

Without Landlord's prior written approval, Tenant is expressly prohibited from engaging in any type of business which is not generally associated with housing, (the "Permitted Use") and Tenant agrees that it will use the Premises in such manner as to not interfere with or infringe on the rights of other tenants in the Premises. Tenant agrees to comply with all applicable laws, ordinances and regulations in connection with its use of the Premises, agrees to keep the Premises in a clean and sanitary condition, and agrees not to perform any act on the Premises which would increase any insurance premiums or cause the cancellation of any insurance policies related to the Premises, provided that Tenant shall pay as Additional Rent any increase in Landlord's insurance premiums resulting from Tenant's use of the Premises. Tenant shall at all times comply with the Tenant Rules and Regulations.

Tenant shall not use, generate, manufacture, store, or dispose of, in, under, or about the Premises or transport to or from the Premises, any Hazardous Materials. For purposes of this Lease, "Hazardous Materials" includes, but is not limited to: (a) flammable, explosive, or radioactive materials, hazardous wastes, toxic substances, or related materials; (b) all substances defined as "hazardous substances," "hazardous materials," "toxic substances," or "hazardous chemical substances or mixtures" in the Comprehensive Environmental Response Compensation and Liability Act of 1980, as amended, 42 U.S.C. § 9601, et seq., as amended by Superfund Amendments and Re-authorization Act of 1986; the Hazardous Materials Transportation Act, 49 U.S.C. § 1901, et seq.; the Resource Conservation and Recovery Act, 42 U.S.C. § 6901, et seq.; the Toxic Substances Control Act, 15 U.S.C. § 2601, et seq.; (c) those substances listed in the United States Department of Transportation Table (49 CFR 172.10 and amendments thereto) or by the Environmental Protection Agency (or any successor agent) as hazardous substances (40 CFR Part 302 and amendments thereto); (d) any material, waste, or substance which is (i) petroleum, (ii) asbestos, (iii) polychlorinated biphenyl's, (iv) designated as a "hazardous substance" pursuant to § 311 of the Clean Water Act, 33 U.S.C. S 1251 et seq. (33 U.S.C. § 1321) or listed pursuant to the Clean Water Act (33 U.S.C. § 1317); (v) flammable explosives; or (vi) radioactive materials; and (e) all substances defined as "hazardous wastes" in NRS 459.430. Landlord represents and warrants that it has no knowledge of any Hazardous Materials at or on the Property. Removal of any existing Hazardous Materials shall be the Landlords sole responsibility. Also, Landlord shall provide to the Tenant an asbestos survey letter if needed for the governmental agency to obtain a building permit.

ARTICLE 15. RIGHTS RESERVED BY LANDLORD

Landlord reserves the following rights, exercisable without notice to Tenant and without effecting an eviction, constructive or actual, and without giving right to any claim for set off or abatement of Rent: (a) to decorate and to make repairs, alterations, additions, changes or improvements in and about the Premises during Business Hours; (b) to take reasonable measures for the security of the Premises and its occupants; (c) to temporarily block off portions of the Parking Facilities for maintenance or construction purposes; (d) temporarily close any portion of the Common Area. Landlord shall not be required, by reason of Landlord's reservation of the foregoing rights, to take any action in furtherance thereof.

ARTICLE 16. QUIET ENJOYMENT

Landlord agrees that, provided a default by Tenant has not occurred, Landlord will do nothing that will prevent Tenant from quietly enjoying and occupying the Premises during the Lease Term.

ARTICLE 17. MAINTENANCE AND REPAIR

Landlord shall maintain the Premises in good condition and repair, reasonable wear and tear excepted. Tenant will keep and maintain the City Units in good, clean, sanitary, neat and fully operative condition and repair, reasonable wear and tear accepted. Any required maintenance and repairs shall be promptly preformed by Landlord.

ARTICLE 18. UTILITIES

Landlord shall pay for all water, gas, heat, light, power, sewer charges, telephone service and all other services and utilities supplied to the Premises, together with any taxes thereon.

ARTICLE 19. ENTRY AND INSPECTION

Landlord shall have the right to enter the City Units at reasonable times during Tenant's business hours except for emergencies for the purpose of inspecting the City Units and reserves the right, during the last three months of the Lease Term, to show the

City Units to prospective tenants upon reasonable notice and at reasonable times. Landlord shall be permitted to take any action under this Article 19 without causing any abatement of Rent or liability to Tenant for any loss of occupation or quiet enjoyment of the Premises, and no such action by Landlord shall be deemed an actual or constructive eviction.

ARTICLE 20. TENANT'S INSURANCE

All personal property and fixtures belonging to Tenant shall be placed and remain on the City Units at Tenant's sole risk.

ARTICLE 21. LANDLORD'S INSURANCE

Landlord shall maintain liability insurance on an occurrence basis providing single limit coverage in an amount not less than $1,000,000 per occurrence with an annual aggregate of not less than $2,000,000. Tenant shall not be named as an additional insured therein.

Landlord shall also obtain and keep in force a policy or policies in the name of Landlord, with loss payable to Landlord and to any lender insuring loss or damage to the Premises. The amount of such insurance shall be equal to the full insurable replacement cost of the Premises, as the same shall exist from time to time, or the amount required by any lender. If the coverage is available and commercially appropriate, such policy or policies shall insure against all risks of direct physical loss or damage, including coverage for debris removal and the enforcement of any applicable laws requiring the upgrading, demolition, reconstruction or replacement of any portion of the Premises as the result of a covered loss.

ARTICLE 22. DAMAGE AND DESTRUCTION OF PREMISES

In the event of fire or other casualty damage to the Premises during the Lease Term which requires repairs to the Premises, Landlord shall commence to make said repairs within ninety (90) days after written notice by Tenant of the necessity therefor and shall diligently proceed therewith to completion. Minimum Monthly Rent shall be proportionately reduced while such repairs are being made, based upon the extent to which the making of such repairs shall interfere with the business carried on by Tenant in the Premises. Landlord shall have no obligation to repair, restore, or replace Tenant's trade fixtures or personal property and Tenant shall be solely responsible therefor. Notwithstanding the foregoing, if (a) during the last year of the Lease Term the Premises is damaged as a result of fire or any other insured casualty unless the Tenant exercises its renewal option, or (b) the Premises are damaged to the extent of twenty-five percent (25%) or more of the replacement value of the Premises, or (c) the Premises is damaged or destroyed as a result of a casualty not insured against, or (d) the Premises shall be damaged or destroyed by fire or other cause to the extent of twenty percent (20%) or more of the replacement value, then Landlord shall have the right, to exercise notice in writing to Tenant given within ninety (90) days after said occurrence, to terminate this Lease. Provided, however, that if (x) Landlord is obligated, or elects, to make repairs under this Article 22, (y) such repairs are not substantially completed within twelve (12) months of the date upon which Landlord received notice of the fire or other casualty, and (z) the fire or other casualty is not a result of the negligent act or omission or willful misconduct of Tenant or Tenant's Agents, Tenant shall have the right to terminate this Lease upon the expiration of such twelve-month period by delivering written notice to Landlord of Tenant's election to so terminate the Lease within fifteen (15) days after the expiration of such twelve (12) month period, provided that if Landlord substantially completes such repairs within fifteen (15) days after Landlord receives Tenant's termination notice, then this Lease will remain in full force and effect. The provisions of this Article 22 shall supersede the obligations of Landlord to make repairs under Article 17 of the Lease. Notwithstanding the provisions of this Article 22, if the Premises or any other portion of the Building are damaged by fire or other casualty resulting from the negligent act or omission or willful misconduct of Tenant or Tenant's Agents, Minimum Monthly Rent shall not be reduced during the repair of the damage, and Tenant shall be liable to Landlord for the cost and expense of the repair and restoration of the Premises caused thereby to the extent that cost and expense is not covered by insurance proceeds.

ARTICLE 23. EMINENT DOMAIN

In the event any portion of the Premises is taken under condemnation or eminent domain proceedings, then Landlord shall have the right, to be exercised by notice in writing to Tenant given within ninety (90) days after said occurrence, to terminate this Lease. Tenant shall have no right to or interest in any award made for such taking; provided, however, that Tenant may make a separate claim for loss of fixtures and leasehold improvements installed by Tenant or interruption to Tenant's business; and relocation expenses provided further that such claim by Tenant does not reduce any award to be made to Landlord.

ARTICLE 24. ASSIGNMENT AND SUBLETTING

Tenant shall not to assign this Lease without Landlord's prior written consent, which consent shall not be unreasonably withheld. Landlord acknowledges that Tenant intends to provide short-term housing assistance to individuals and families by placing them in the City Units. Any assignment or subletting hereunder shall not release or discharge Tenant of or from any liability under this Lease and Tenant shall continue to be fully liable hereunder. Consent by Landlord to one assignment or subletting shall not be deemed to be consent to any subsequent assignment or subletting. The term "sublet" or "subletting" shall mean any act by Tenant to sublet the Premises, license the Premises or any use thereof or permit anyone other than Tenant to occupy or use the Premises or any part thereof.

ARTICLE 25. SALE OF PREMISES

If the Premises is sold, or this Lease is assigned by Landlord, Landlord shall automatically be entirely freed and relieved of all liability under any and all of Landlord's covenants and obligations contained in this Lease or arising out of any act, occurrence, or omission occurring after such sale or assignment, and the assignee or purchaser shall be deemed, without any further agreement between the parties, to have assumed and agreed to carry out any and all of the covenants and obligations of Landlord under this Lease, and shall be substituted as Landlord for all purposes from and after the sale or assignment.

ARTICLE 26. SUBORDINATION/ATTORNMENT/MODIFICATION/ASSIGNMENT

Tenant's interest under this Lease is subordinate to all terms of and all liens and interests arising under any ground lease, deed of trust, or mortgage now or hereafter placed on Landlord's interest in the Premises. Tenant consents to an assignment of Landlord's interest in this Lease to Landlord's lender as required under such financing. If the Premises, or any part thereof, is sold as a result of a default under the mortgage, or pursuant to a transfer in lieu of foreclosure, Tenant shall, at the mortgagee's, purchaser's or ground lessor's sole election, attorn to the mortgagee or purchaser. This Article 26 is self-operative; however, Tenant agrees to execute and deliver upon request such further instruments necessary to subordinate this Lease to a lien of any mortgage or deed of trust, to acknowledge the consent to assignment and to affirm the attornment provisions set forth herein. Landlord shall obtain subordination and non-disturbance agreements upon Tenant's request.

ARTICLE 27. LANDLORD'S DEFAULT AND RIGHT TO CURE

In the event of default hereunder by Landlord, Tenant agrees, before exercising any right or remedy available to it, to give Landlord and its lender(s) (at the addresses therefor supplied by Landlord) written notice of the claimed default. For the thirty (30) days following such notice (or such longer period of time as may be reasonably required to cure a matter which, due to its nature, cannot reasonably be remedied within thirty (30) days), Landlord shall have the right to cure the default involved. If Landlord has failed to cure a default within said period, any lender of Landlord shall have an additional 30 days after notice from Tenant to cure such default, prior to Tenant's right to exercise any remedy.

ARTICLE 28. ESTOPPEL CERTIFICATES AND FINANCIAL STATEMENTS

Tenant agrees to execute, acknowledge, and deliver to Landlord no more than once per year within fifteen (15) calendar days after written request;

(a) An estoppels certificate either Landlord provided or a statement in writing certifying (a) that this Lease is unmodified and in full force and effect (or if there have been modifications, that the same is in full force and effect as modified and stating such modifications), (b) the dates to which Rent has been paid in advance, if any, (c) Tenant's acceptance and possession of the Premises, (d) the Commencement Date, (e) the Rent provided under the Lease, (f) that Landlord is not in default under this Lease (or if Tenant claims such default, the specific nature thereof), (g) that Tenant claims no offsets against Rent, and (h) such other information as may be requested with respect to the provisions of this Lease or the tenancy created hereby. Tenant's failure to timely deliver such statement shall be conclusive upon Tenant (i) that this Lease is in full force and effect, without modification except as may be represented by Landlord, (j) that there are no uncured defaults in Landlord's performance, and (k) that not more than one month's Rent has been paid in advance.

ARTICLE 29. TENANT'S DEFAULT AND LANDLORD'S REMEDIES

Default. The occurrence of anyone or more of the following events shall constitute a material default ("Default") of this Lease by:

(a) The breach by Tenant of any of the covenants, conditions or obligations of Tenant under this Lease; provided, however, that Article 11 (alterations), Article 24 (assignment or subletting), Article 29(e) (insolvency), Article 29(f) (false statement), Article 28 (estoppel certificate and financial statements), Article 26 (subordination/attornment/modification/assignment) are hereby deemed to be material, non-curable defaults without the necessity of any notice by Landlord to Tenant thereof.

(b) The failure by Tenant to make any payment of Rent or any other payment required to be made by Tenant hereunder, as and when due, where such failure shall continue for a period of five (5) days after written notice thereof from Landlord to Tenant. In the event that Landlord serves Tenant with a Notice to Pay Rent or Quit pursuant to applicable Unlawful Detainer statutes such Notice to Pay Rent or Quit shall also constitute the notice required by this subsection.

(c) The failure by Tenant to observe or perform any of the covenants, conditions or provisions of this Lease to be observed or performed by Tenant other than those referenced in subsections (b) and (c), above, where such failure shall continue for a period of thirty (30) days after written notice thereof from Landlord to Tenant; provided, however, that if the nature of Tenant's noncompliance is such more than thirty (30) days are reasonably required for its cure, then Tenant shall not be deemed to be in default if Tenant commenced such cure within said thirty (30) day period and thereafter diligently pursues such cure to completion. To the extent permitted by law, such thirty (30) day notice shall constitute the sole and exclusive notice required to be given to Tenant under applicable Unlawful Detainer statutes.

(d) The making by Tenant of any general arrangement or general assignment for the benefit of creditors; Tenant becoming a "debtor" as defined in 11 U.S.C. 8101 or any successor statute thereto (unless, in the case of a petition filed against Tenant, the same is dismissed within sixty (60) days; the appointment of a trustee or receiver to take possession of substantially all of Tenant's assets located at the Premises or of Tenant's interest in this Lease, where possession is not restored to Tenant within thirty (30) days; or the attachment, execution or other judicial seizure of substantially all of Tenant's assets located at the Premises or of Tenant's interest in this Lease, where such seizure is not discharged within thirty (30) days. In the event that any provision of this Section 29 is contrary to any applicable law, such provision shall be of no force or effect.

Remedies. In the event of any material default or breach of this Lease by Tenant, Landlord may at any time thereafter, with or without notice or demand and without limiting Landlord in the exercise of any right or remedy which Landlord may have by reason of such default:

(a) Terminate Tenant's right to possession of the Premises by any lawful means, in which case this Lease and the term hereof shall terminate and Tenant shall immediately surrender possession of the Premises to Landlord. In such event Landlord shall be entitled to recover from Tenant all damages incurred by Landlord by reason of Tenant's default including, but not limited to, the cost of recovering possession of the Premises; expenses of reletting, including necessary renovation and alteration of the Premises, reasonable attorneys' fees, and any real estate commission actually paid; the worth at the time of award by the court having jurisdiction thereof of the amount by which the unpaid rent for the balance of the term after the time of such award exceeds the amount of such rental loss for the same period that Tenant proves could be reasonably avoided; that portion of the leasing commission paid by Landlord pursuant to Section 16 applicable to the unexpired term of this Lease.

(b) Maintain Tenant's right to possession in which case this Lease shall continue in effect whether or not Tenant shall have vacated or abandoned the Premises. In such event Landlord shall be entitled to enforce all of Landlord's rights and remedies under this Lease, including the right to recover the rent as it becomes due hereunder.

(c) Pursue any other remedy now or hereafter available to Landlord under the laws or judicial decisions of the state wherein the Premises are located. Unpaid installments of rent and other unpaid monetary obligations of Tenant under the terms of this lease shall bear interest from the date due at the maximum rate then allowable by law.

ARTICLE 30. TENANT'S RECOURSE

Notwithstanding anything to the contrary herein, Tenant agrees to look solely to Landlord's interest in the Premises, subject to prior rights of any ground lessor, mortgagee, or holder of a deed of trust encumbering the Premises or any part thereof, for the collection of any judgment requiring the payment of money by Landlord in the event of any default by Landlord under this Lease. Tenant agrees that it is prohibited from using any other procedures for the satisfaction of Tenant's remedies. Neither Landlord nor any of its respective officers, directors, employees, heirs, successors, or assigns, shall have any personal liability of any kind or nature, directly or indirectly, under or in connection with this Lease.

ARTICLE 31. HOLDING OVER

Subject to prior written consent of Landlord, if Tenant holds over after the expiration or earlier termination of the Lease Term, Tenant shall be a tenant at sufferance, the Minimum Monthly Rent shall be increased to 110% of the Tenant's lease rate during the final month of the Lease Term, plus any amounts due under Article 5, which shall be payable in advance on the first day of such holdover period and on the first day of each month thereafter. Tenant will be considered to be a month-to-month tenant during any holdover period.

ARTICLE 32. NOTICES

Wherever in this Lease it is required or permitted that notice or demand be given or served by either party to or on the other, such notice or demand shall be in writing and shall not be deemed to have been duly given or served unless (a) either (1) delivered personally, (2) deposited with the United States Postal Service, as registered or certified mail, return receipt requested, bearing adequate postage, or (3) sent by overnight express courier (including, without limitation, Federal Express, DHL Worldwide Express, Airborne Express, and United States Postal Service Express Mail) with a request that the addressee sign a receipt evidencing delivery; and (b) addressed to the party at its address in Section 0. Either party may change its notice address by written notice to the other. Service of any notice or demand shall be deemed completed forty-eight (48) hours after deposit thereof, if deposited with the United States Postal Service, or upon receipt if delivered by overnight courier or in person.

ARTICLE 33. BROKER'S COMMISSIONS

Tenant represents and warrants that it has not had any dealings with any realtors, brokers, finders or agents (collectively, "brokers") in connection with this Lease and releases and agrees to indemnify Landlord from and against any Claims for commissions arising out of the actions of Tenant in connection with this Lease. Tenant releases and agrees to indemnify Landlord from and against any other claims for commissions.

ARTICLE 34. INDEMNIFICATION/WAIVER OF SUBROGATION

Tenant shall indemnify, defend, and hold harmless Landlord, Landlord's agents, directors, officers and employees and any lender of Landlord against all Claims and costs incurred by any such party arising from: (a) any act or omission of Tenant or Tenant's Agents which results in personal injury, loss of life, or property damage sustained in and about the Premises; (b) attachment or discharge of a lien upon the Premises or any part thereof caused by any act or omission of Tenant or Tenant's Agents; (c) Tenant's and Tenant's Agents' use, generation, storage, release, threatened release, discharge, disposal, or presence of Hazardous Materials on, under, or about the Premises or any portion thereof; (d) any default of Tenant under this Lease; and (e) any Claims for brokerage commissions or finder's fees in connection with this Lease (except commissions or fees authorized in writing by Landlord). As used in this Lease, "Claims" means any claim, suit, proceeding, action, cause of action, responsibility, demand, judgment and execution and attorneys' fees and costs related thereto or arising therefrom.

Tenant hereby releases, discharges, and waives any right of recovery from Landlord and Landlord's agents, directors, officers, and employees, and Landlord hereby releases, discharges, and waives any right of recovery from Tenant and Tenant's Agents, from all Claims, liabilities, losses, damages, expenses, or attorneys' fees and costs incurred arising from or caused by any peril required to be covered by insurance under this Lease, or covered by insurance in connection with (a) the Premises; (b) activities conducted on the Premises or any part thereof; and (c) obligations to indemnify under this Lease, unless Landlord or its agent are in default. Landlord and Tenant shall give their respective insurance carriers notice of these waivers and shall secure an endorsement from each carrier to the effect that the waivers given in this Article 34 shall not adversely affect or impair the policies of insurance or prejudice the right of the named insured on the policy to recover thereunder. These waivers apply only to the extent such Claims are covered by insurance required pursuant to this Lease or that the parties actually carry.

Notwithstanding anything in this Lease to the contrary, Landlord shall not be responsible or liable to Tenant for any Claims for loss or damage caused by the acts or omissions of any persons occupying any space elsewhere in the Premises.

ARTICLE 35. GENERAL PROVISIONS

This Lease is construed in accordance with the laws of the State of Nevada.

If Tenant is comprised of more than one person or entity, then the obligations of such entities or parties shall be joint and several.

If any term, condition, covenant or provision of this Lease is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the terms, conditions, covenants and provisions hereof shall remain in full force and effect and shall in no way be affected, impaired, or invalidated.

The various headings herein and the grouping of the provisions of this Lease into separate articles and sections are for the purpose of convenience only and are not be considered a part hereof.

Time is of the essence of this Lease.

In the event either party initiates legal proceedings or retains an attorney to enforce any right or obligation under this Lease or to obtain relief for the breach of any covenant hereof, the party ultimately prevailing in such proceedings shall be entitled to recover all costs and reasonable attorneys' fees.

This Lease sets forth all the terms, conditions, covenants, provisions, promises, agreements and undertakings, either oral or written, between Landlord and Tenant. No subsequent alteration, amendment, change, or addition to this Lease shall be binding upon Landlord or Tenant unless reduced to writing and signed by both parties.

Subject to Article 24, the covenants herein contained shall apply to and bind the heirs, successors, executors, personal representatives, legal representatives, administrators, and assigns of all the parties hereto.

No term, condition, covenant or provision of this Lease may be waived except in writing by Landlord, and the forbearance or indulgence by Landlord in any regard whatsoever shall not constitute a waiver of the term, condition, covenant or provision to be performed by Tenant to which the same shall apply, and until complete performance by Tenant of such term, condition, covenant or provision, Landlord shall be entitled to invoke any remedy available under this Lease or by law despite such forbearance or indulgence. The waiver by Landlord of any breach or term, condition, covenant or provision hereof shall apply to and be limited to the specific instance involved and shall not be deemed to apply to any other instance or to any subsequent breach of the same or any other term, condition, covenant or provision hereof. Acceptance of Rent by Landlord during a period in which Tenant is in default in any respect other than payment of Rent shall not be deemed a waiver of such other default. Any payment made in arrears shall be credited to the oldest amount outstanding and no contrary application will waive this right.

The use of a singular term in this Lease shall include the plural and the use of the masculine, feminine, or neuter genders shall include all others.

Landlord's submission of a copy of this Lease to any person, including Tenant, shall not be deemed to be an offer to lease or the creation of a lease unless and until this Lease has been fully signed and delivered by Landlord.

Every term, condition, covenant and provision of this Lease, having been negotiated in detail and at arm's length by both parties, shall be construed simply according to its fair meaning and not strictly for or against either party.

If the time for the performance of any obligation under this Lease expires on a Saturday, Sunday, or legal holiday, the time for performance shall be the preceding business day which is not a Saturday, Sunday, or legal holiday.

If requested by Landlord, Tenant shall execute written documentation with signatures acknowledged by a notary public to evidence when and if Landlord or Tenant has met certain obligations under this Lease.

In the event this Lease is executed in counterparts, each of such counterparts shall, for all purposes, be deemed an original and all of such counterparts, taken together, shall constitute one and the same agreement. For all purposes hereof, faxed signatures shall be deemed to be original signatures for purposes of executing this Lease.

IN WITNESS WHEREOF, the parties have duly executed this Lease as of the last date written below.

LANDLORD

By:_____

Printed Name: _____

Title: _____

Date: _____

TENANT

By:_____
Carolyn G. Goodman, Mayor

ATTEST:

By:_____
LuAnn D. Holmes, MMC, City Clerk

APPROVED AS TO FORM:

By: John S. Ridilla 7/2/19
Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

_____ Landlord's Initials

_____/_____ Tenant's Initials

EXHIBIT "A" - SITE PLAN

EXHIBIT "B" – FLOOR PLAN AND CITY UNITS

EXHIBIT "C" - OPERATING EXPENSES

For purposes of this Lease, "Operating Expenses" shall mean all expenses, costs and amounts, of every kind and nature that relate to the Premises and the Common Areas, including, without limitation, the following: (i) all insurance premiums for insurance maintained by Landlord and the deductible portion of any insured loss under any insurance policy maintained by Landlord; (ii) all federal, state, county, or local governmental or municipal taxes, fees, charges or other impositions of every kind and nature, whether general, special, ordinary or extraordinary (including, without limitation, real estate taxes, general and special assessments, transit taxes, parcel taxes, leasehold taxes or taxes based upon the receipt of rent, including gross receipts or sales taxes applicable to the receipt of rent, unless required to be paid by Tenant, personal property taxes imposed upon the fixtures, alterations, improvements, machinery, equipment, apparatus, systems and equipment, appurtenances, furniture and other personal property used in connection with all or a portion of the Premises, whether or not title to the same shall have vested in Landlord), which shall be paid or accrued during any Lease year (without regard to any different fiscal year used by such governmental or municipal authority) because of or in connection with the ownership, leasing and operation of all or a portion of the Premises, and (iii) costs, fees, charges or assessments imposed by, or resulting from any mandate imposed on Landlord by any federal, state or local government for fire and police protection, community services, or other services, whether paid or incurred by Landlord during the Term of this Lease.

_____ Landlord's Initials _____/_____ Tenant's Initials

EXHIBIT "D" – TENANT RULES AND REGULATIONS

1. Tenant agrees to comply with (and cause its agents, contractors, employees and invitees to comply with) the following rules and regulations and with such reasonable modifications thereof and additions thereto as Landlord may from time to time make. Landlord shall not be responsible for any violation of said rules and regulations by other Tenants or occupants of the Building or Premises.

2. Tenant shall be responsible for any destruction, damage, injury, negligence, nuisance, or otherwise resulting from the acts or omissions of its guests, invitees, customers, agents, employers or suppliers that occurs anywhere in the Premises. Within five *(5)* days after written notice and demand, Tenants shall: (a) Commence to repair and restore to Landlord's satisfaction such damage; or (b) if Landlord so elects, Tenant shall pay the reasonable value and amount necessary to compensate Landlord or such other party for the damage and injury; and (c) Any administration or management costs associated with Landlord's resolution of such matters. Any damages or destruction to the Premises not attributable to a specific Tenant as provided above shall be assessed to every Tenant as an Operating Expense.

3. No Tenant shall place or use in or about premises any explosives, gasoline, kerosene, oil, acids, caustics or any other inflammable, explosive or hazardous material without prior written consent of Landlord.

4. Landlord will not be responsible for lost or stolen personal property, equipment, money or jewelry from Tenant's area regardless of whether such loss occurs when area is locked against entry or not.

5. Landlord will not permit entrance to Tenant's offices by use of passkey controlled by Landlord to any person at any time without permission by Tenant, except employees, contractors, or service personnel directly supervised or employed by Landlord.

6. None of the entries, passages, doors, elevators, hallways or stairways shall be blocked or obstructed, or any rubbish, litter, trash or material of any nature placed, emptied, or thrown into these areas, nor shall such areas be used at any time, except for ingress or egress by Tenant, Tenant's agents, employees or invitees.

7. No person shall disturb the occupants of the building by the use of ~~my~~ musical instruments, the making of raucous noises or other unreasonable use.

8. Tenant shall not store any materials, equipment, products, etc. outside of the premises.

9. Tenant shall not erect any sign or other insignia upon or in any part of the Premises or other portion of the premises without the prior written consent of the Landlord. Tenant shall comply with all local and federal codes and ordinances.

10. All commercial areas, including vestibules, entrances, and returns, doors, fixtures, windows, and plate glass will be maintained in a safe, neat and clean condition.

11. All trash, refuse, and waste material, will be regularly removed from the premises of each Tenant of the Premises and until removal will be stored: (a) In adequate containers, located so as not to be visible to the general public patronizing in the Premises and (b) So as not to constitute any health or fire hazard or nuisance to any person or other Tenant. No burning of trash, refuse, or waste materials is allowed.

12. No live, on premises, auction, fire, bankruptcy, or going-out-of-business sale will be conducted in or on the Premises properties without the prior written approval of Landlord.

13. Under no circumstance, without the express consent of the Landlord will there be any sale of merchandise or display of merchandise outside the defined exterior walls or the roof of the Premises.

14. Security measures and related expenses of any kind whatsoever, including but not limited to security patrol(s), shall be engaged by Landlord if determined in its sole but reasonable discretion that it is essential to the safe and orderly operation of the Premises, but, where such security measures are directly related and required as a result of the conduct, business operation or other unique peculiarities of a specific Tenant, as determined by Landlord, then such expenses shall be payable solely by such responsible Tenant.

15. No person shall waste water by interfering with faucets or otherwise. The toilets and water fixtures shall not be used for any purpose other than those for which they were constructed. Specifically, only toilet paper may be flushed down toilets. Any Tenant caught flushing paper hand towels and/or other materials, or objects, is subject to being charged directly for costs made necessary for service charges, repairs, and the like, arising from this action. If no Tenant(s) can be found attributable for this action, all Tenants may be assessed as Operating Expense.

_____ Landlord's Initials _____/_____ Tenant's Initials

16. No use will be made of the Premises or of any portions that would: (a) Violate any law, ordinance, or regulation; (b) Constitute a nuisance; (c) Constitute an extra hazardous use; (d) Violate, suspend, or avoid any policy of policies of insurance on any buildings or businesses; or (e) interfere with the operation of the Premises.

17. No person without the prior written consent of the Landlord will be permitted or allowed to:

a. Peddle or solicit door-to-door, for sale or distribution of any merchandise, device, service, periodical, book, and pamphlet and/or of other matter whatsoever.

b. Exhibit any sign, placard, banner, notice, or other written material.

c. Solicit membership in any organization, group, or association or contribution for any purpose.

d. Parade, patrol, picket, demonstrate, rally, or engage in any conduct that might tend to interfere with or impede the use of any of the Common Area by any permittee, create a disturbance, attract attention or harass, annoy, disparage, or be detrimental to the interest of any of the businesses within the Premises.

e. Use any Common Area for any purpose

f. Throw, discard, or deposit any paper, glass or extraneous matter of any kind, except in designated receptacles or create litter or hazards of any kind.

g. Use any sound-making device of any kind or create or produce in any manner noise or sound that is annoying, unpleasant, or distasteful to occupants.

h. Deface, damage, or demolish any sign, light standard or landscaping material, or other improvement within the Premises or the property of customers, business invitees, or employees situated within the Premises.

18. The Landlord reserves the right to rescind any of these rules and make such other and further rules and regulations, as in the judgment of Landlord shall, from time to time, be needed for safety, protection, care and cleanliness of the Premises , the operation thereof, the preservation of good order therein, and the protection and comfort of its Tenants, their agents, employees and invitees, including but not limited to rules and regulations regarding hours of access to the Premises which rules, when made and notice thereof of given to a Tenant, shall be binding upon him in like manner as if originally herein prescribed. In the event of any conflict, inconsistency or other difference between the terms and provisions of these rules and regulations and any lease now or hereafter in effect between Landlord and any Tenant in the building, Landlord shall have the right to rely on the term of provision in either such Lease or such Rules and Regulations which is most restrictive on such Tenant and most favorable to Landlord.

EXHIBIT "E" - TENANT PARKING AND DRIVING REGULATIONS

1. Tenants and its agents, employees and invitees shall observe and comply with the driving and parking signs and markers on the Premises grounds and surrounding areas, including the following:

a. Thoroughfares: No person will use any roadway, walkway, or common areas except as a means of egress from or ingress to the leased premises and parking areas within the Premises or adjacent public streets. Such use will be in an orderly manner in accordance with directional or other signs or guides. Roadways will not be used at a speed in excess of ten (10) miles per hour and will not be used for parking or stopping except for the immediate loading or unloading of passengers. No walkway or common area will be used for other than pedestrian travel.

b. Parking Areas: All vehicles shall be parked in the designated parking areas in conformation with all signs and other markings. No person will use any parking area except for the parking of motor vehicles during the period of time the person or the occupants of the vehicle are customers or business invitees of the office establishment within the Premises. All motor vehicles will be parked in an orderly manner within the painted lines defining the individual parking places. Parking any type of recreational vehicles is specifically prohibited. No vehicle of any type shall be stored in the parking areas at any time. In the event that a vehicle is disabled, it shall be removed within 24 hours. There will be no auto washing or detailing in the parking lot.

c. Service Areas: (1) No person shall use any service area reserved for such business use except for the specific purpose for which permission to use such area is provided. (2) Any deliveries of an abnormally large, bulky or voluminous nature, such as furniture, office machinery, etc., should be made during non-peak business hours excepting initial move-in.

d. Employer/Employee Parking: No employer/employee will use any area for motor vehicle parking except the area or areas specifically designated for employer/employee parking during the period of employment hours. No business will designate any area for employee parking except such area the Landlord designates in writing.

e. Designated Parking Areas: No person shall park in any parking space or area designated by Landlord for exclusive use of any other Tenant in the Premises, nor shall Tenant allow its customers or invitees to park in said parking spaces or area.

f. Time Limitations: During peak periods of business activity, limitations may be imposed as to the length of time for parking use. Such limitations may be made in specified areas.

g. Parking Violations and Towing: Landlord encourages Tenant to respectfully handle parking violations by either writing a note and leaving it on the windshield of the car or personally asking vehicle owner not to violate parking regulations. If violations continue or any vehicle creating a nuisance, hazard, traffic impediment, improperly parked or otherwise adversely affecting the operation of the Premises, Tenant is to immediately contact Landlord or authorized agent. At Landlord's election and sole discretion, and as a remedy against and at the expense of the violating individual(s), Landlord may not tow and/or remove the vehicle from the Premises without a 24-hour's sticker notice. At no time shall Tenant, its agents or assigns authorize or instruct any company or individual to tow and/or remove a vehicle without the prior written approval of the Landlord or designated representative of the Landlord.

2. Landlord will not be responsible for lost or stolen personal property, equipment, money or jewelry from Parking Area regardless of whether such loss occurs when area is locked against entry or not.

3. Tenant shall be responsible for any destruction, damage, injury, negligence, nuisance, or otherwise resulting from the acts or omissions of its guests, invitees, customers, agents, employers or suppliers that occurs anywhere in the Premises. Within five *(5)* days after written notice and demand, Tenants shall: (a) Repair and restore to Landlord's satisfaction such damage; or (b) if Landlord so elects, Tenant shall pay the reasonable value and amount necessary to compensate Landlord or such other party for the damage and injury; and (c) Any administration or management costs associated with Landlord's resolution of such matters. Any damages or destruction to the Premises not attributable to a specific Tenant as provided above shall be assessed to every Tenant as an Operating Expense.

_____ Landlord's Initials _____/_____ Tenant's Initials

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
15

DEPARTMENT: Community Services **CONSENT**
DIRECTOR: Kathi Thomas-Gibson

SUBJECT:
For possible action to approve an agreement between City of Las Vegas and Women's Development Center (a nonprofit organization) for the master lease of 15 scattered rental units to serve as bridge and/or transitional housing for homeless individuals in the City of Las Vegas ($125,499 - General Fund/Redevelopment Set-Aside) - All Wards

FISCAL IMPACT:
Budget Funds Available
Amount: $125,499
Funding Source: General Fund/Redevelopment Set-Aside
Dept./Division: Office of Community Services

PURPOSE/BACKGROUND:
The Master Lease Program will support the Courtyard Homeless Resource Center by providing bridge and/or transitional housing for guests who meet the eligibility requirements; guests will also receive case management and supportive services as necessary in order to transition them into permanent housing and self-sufficiency. The master lease agreement with Women's Development Center will provide 15 scattered rental units for a period of one year with the option to renew for five additional terms.

RECOMMENDATION:
Staff recommends that the City Council approves and authorizes the Mayor to sign required agreements after the City Attorney has approved them as to form.

BACKUP DOCUMENTATION:
1. Master Lease WDC

MASTER LEASE AGREEMENT

This lease agreement is made and entered into as of the 1st day of June, 2019, at Las Vegas, Nevada, by and between Women's Development Center (WDC), a nonprofit organization duly authorized to do business in the State of Nevada, hereinafter called "Lessor," and City of Las Vegas, hereinafter called "Lessee."

ARTICLE 1
Description, Use, and Term

Lessor hereby leases to Lessee, and Lessee hereby leases from Lessor, those certain properties, hereinafter called the "leased premises," situated in Las Vegas, Nevada, as specified in **EXHIBIT 1**; to be used only as a residential property and in accordance with uses normally incident thereto and for no other purpose, for a term commencing **August 1, 2019** and ending on **July 31, 2020** unless modified before that date by mutual consent, for rental amount as specified in Article 2.

ARTICLE 2
Rent

Lessee shall pay Lessor at: WDC 7530 West Sahara, Suite #105 Las Vegas, Nevada 89117, as rent for the leased premises, a sum determined annually in advance of the beginning of lease period. The amount charged shall be nine thousand six hundred dollars and no cents ($9,600) paid monthly.

All payments due under the lease shall be payable without prior demand on the 1st day of each calendar month for which rent is paid, continuing thereafter until termination of this lease. The rent payment shall be due regardless of whether Lessee has members in occupancy of the premises.

Penalty for late payment. There shall be a five-day grace period for the receipt of funds for rent. After this grace period Lessee shall notify the Lessor if there will be a further delay and provide specific date to Lessor.

ARTICLE 3
Fire and Casualty Damage

Lessee shall give immediate notice to Lessor of fire or other casualty at the Property.

In the event the Property shall be damaged or destroyed in whole or in part by fire and other casualty, Lessor shall have the right, but not the obligation, to terminate this Lease by giving written notice to the Lessee of its election to terminate, notice to be given within ninety (90) days after the occurrence of the damage or destruction. Upon the third day after notice is given, Lessee shall vacate and surrender the Premises to Lessor, without prejudice, however, to Lessor's rights and remedies against Lessee under the Lease prior to termination, and any rent owing shall be paid through such date.

If the fire, casualty, repairing or rebuilding of the Property shall render the Property untenantable, and if the fire or other casualty occurred without the negligence or willful act of Lessee, its agents and invitees, a proportionate reduction of the annual rent due thereafter shall be allowed from the date of the occurrence of such casualty until the date Lessor completes the repairs to the Property or, in the event Lessor elects to terminate this lease, until the date of termination. Such reduction shall be computed on the basis of the ratio which the floor area of the Property rendered untenantable bears to the habitable

floor area of the Property. Lessor shall not be liable for any delay in the repair or restoration of the Property.

Tenant acknowledges that Lessor will not carry insurance on Tenant's personal property, furniture, and improvements, and agrees that Lessor will not be obligated to repair any damage or replace the same.

ARTICLE 4
City of Las Vegas -- Lessee's Obligation

Item 1- Lessee agrees to take responsibility for recruitment of individual tenant(s) and ensure all tenants recruited will be a good fit for the property and other tenants.

Item 2- Lessee agrees to keep the leased premises in good order and repair, at a standard equal to, or better than, the condition of the property at time of lease. Should there be damages beyond normal wear and tear those damages will be assessed and billed to Lessee if damages exceed original deposits.

Item 3- Lessee shall not undertake any repair or maintenance tasks costing more than three hundred dollars ($300.00); however, Lessee is expected to report all major maintenance problems on a timely basis, and to correct all minor problems as necessary. Moreover, Lessee shall mitigate any damages resulting from maintenance problems i.e overflowing toilets.

Item 4- Lessee may not undertake, or contract to undertake any structural or use changes without the express consent of lessor.

Item 5- Lessee agrees not to commit, or suffer to be committed, any waste on the leased premises, nor shall it maintain, commit, or permit the maintenance or commission of any nuisance on the leased premises or use the leased for any unlawful purpose.

Item 6- Lessee shall notify Lessor within 5 days of a tenant moving-in or moving-out of unit.

Item 7- Lessee agrees to reimburse the Lessor for the power bills the occupants are responsible for paying, instead of managing utility accounts and/or placing the service in Lessee's name.

ARTICLE 5
Women's Development Center- Lessor's Obligation

Item 1- Lessor agrees to perform preventative maintenance such as filter changes, pest services and smoke detector testing every month. A schedule will be provided to Lessee in advance.

Item 2- Lessor agrees to maintain property insurance and loss of rent insurance for the premises, and to pay property taxes on a timely basis.

Item 3- Lessor agrees to make a yearly maintenance needs assessment of the property.

Item 4- Lessor shall provide the utilities listed below for the dwelling unit without any additional charges to the Tenant. Landlord provided utilities: Water, Sewer, Gas, Trash.

Item 5- Lessor has also agreed to pay the power on behalf of the Lessee. This is merely a courtesy as Lessor has access to remote connections and can expedite the process. The amount will be set by utilizing the U.S Department of Housing and Urban Development, Southern Nevada Regional Housing

Authority (03/01/2019.) Lessee shall reimburse the Lessor on the same schedule a rent is paid. The amount charged shall be one thousand two hundred and ninety-nine dollars and no cents ($1,299.00) paid monthly. However, if the bill exceeds the agreed upon amount by 10% the Lessee shall have the option to reimburse for the total amount or place utility services in the Lessee's name within 30 days.

Item 6- Lessor agrees to provide maintenance for Lessee at established rates in **Exhibit 2**. If it is determined to be the Lessor's responsibility no charge will be incurred.

ARTICLE 6
Security Deposit

A total security deposit of $4,500 will be deposited with the landlord at time of signing. After the Lessee has vacated from the dwelling unit, the Lessor may, to the extent permitted by State law, use the security deposit as reimbursement for any rent payable by the Lessor, damages to the unit beyond normal wear and tear, or other amounts which the Lessee owes under the Lease. The Lessor will give the Lessee a written list of all items charged against the security deposit and the amount of each item. After deducting the amount used as reimbursement to the Lessor, the Lessor shall promptly refund the full amount of the balance to the Lessee within 30 days after the end of the agreement

ARTICLE 7
Lessee Rent Assessment

Should the Lessee determine their occupants will pay rent, Lessor has agreed to collect said rent on their behalf. These funds will be held just as Security Deposits are held. Moreover, the monies will remain unencumbered and paid out as approved by the Lessee. An accounting will be provided to Lessee upon request. If payment is not received Lessor shall notify Lessee by the 6th of each month.

ARTICLE 8
Cleaning Fee

A total cleaning fee of $4,500 will be paid to Lessor. The cleaning fee is a one-time fee charged by Lessor to cover cleaning at end of lease.

ARTICLE 9
Reasonable Accommodations

Lessor shall provide Lessee with reasonable accommodations which include waivers from certain restrictions in the lease and house rules in order for all residents to be able to fully use and enjoy their community. Lessee must notify Lessor prior to occupancy and complete all necessary paperwork.

ARTICLE 10
Quiet Possession

Lessor shall, on the commencement date of this lease place Lessee in quiet possession of the leased premises and shall secure it in the quiet possession thereof against all persons claiming the same during the entire lease term and any extension thereof.

ARTICLE 11
Extension

This agreement may only be extended by agreement of both parties at least sixty (60) days prior to the end of the lease.

ARTICLE 12
Surrender of Premises

Lessee shall, without demand and at its own cost and expense before expiration or earlier termination of the term of this lease or of any extended term hereof, remove all property belonging to it and all alterations, additions, or improvements, and fixtures which by the terms of this Lease it is permitted to remove; and repair all damage to the leased premises caused by such removal. Any property not so removed shall be deemed to have been abandoned by Lessee and may be retained or disposed of by Lessor, as Lessor in its sole discretion sees fit.

Lessee agrees to and shall, on expiration or earlier termination of the term hereof or of any extended term hereof, promptly surrender and deliver the leased premises to Lessor without demand therefor in good condition, ordinary wear and tear excepted.

ARTICLE 13
Condemnation

If during the term of this lease or any extension or renewal thereof, all of the leased premises should be taken for any public or quasi-public use under any law, ordinance, or regulation or by right of eminent domain, or should be sold to the condemning authority under threat of condemnation, this lease shall terminate and the rent shall be abated during the unexpired portion of this lease, effective as of the date of the taking of said premises by the condemning authority.

If less than all of the lease premises shall be taken for any public or quasi-public use under any law, ordinance, or regulation or by right of eminent domain, or should be sold to the condemning authority under threat of condemnation, this lease shall not necessarily terminate but Lessor shall forthwith at its sole option and expenses, restore and construct the building and other improvements, situated on the leased premises, provided such restoration and reconstruction shall make the same reasonably tenantable and suitable for the uses for which the premises are leased. The rent payable hereunder during the unexpired portion of this lease shall be adjusted equitably.

ARTICLE 14
Inspection by Lessor

Lessee shall permit Lessor and its agents to enter into and upon the leased premises at all reasonable times for the purpose of inspecting the same for the purpose of maintaining or making repairs or alterations to the building, or any other legitimate purpose.

ARTICLE 15
Default

Upon default in this lease, Lessor shall have the right, power, and authority, then or thereafter, to exercise and enforce any or all of the following rights or remedies, and any others permitted by law:

To declare all the rent due under this lease immediately due and payable, upon seven (7) days written notice;

To take possession of premises, and to make, modify, enforce, and cancel or accept surrender of any sublease (or future sublease).

ARTICLE 16
Indemnification

Subject to the limitations of law, including without limitation Nevada Revised Statues Chapter 41 liability limitations, Lessee, at its expense, shall indemnify and defend Lessor, its licensees, servants, agents, employees and contractors, from any loss, damage, claim, liability or expense, (including attorney fees) of any kind, type or description, including without limitation, claims for bodily injury, disease, death, property damage or environmental clean-up arising directly or indirectly out of or in connection with the condition of the Property, the use or misuse thereof by Lessee or licensees, servants, agents, employees or contractors, the failure of Lessee to comply with any covenant of this Lease. Lessee does not waive and intends to assert available Nevada Revised Statutes Charter 41 liability limitations in all cases.

The Lessee's in indemnity obligations in this Article 16 are not applicable to the extent any claim or liabilities of any type arise from the gross negligence or willful action or inaction of the Lessor, its licensees, servants, agents, employees and contractors.

ARTICLE 17
LESSEE'S PROPERTY ON PREMISES AT LESSEE'S RISK

All personal property of any kind or description whatsoever upon or in the said premises shall be at the Lessee's sole risk, and the Lessor shall not be liable for any damage either to person or property sustained by the Lessee's, or other persons, particularly by individual members of Lessee, or for damage or loss suffered by the business or occupation of the Lessee due to the building or any part thereof becoming out of repair or arising from any acts or neglect of co-Lessees or other occupants of the building, or of other persons, or from bursting, overflowing or leaking of water, sewer or steam pipes, or from the heating or plumbing fixtures, or from electrical wires, or from gas, or odors, or caused in any other manner whatsoever.

ARTICLE 18
MISCELLANEOUS

Notice and Addresses

All notices provided to be given under this agreement shall be given by first class mail, addressed to the proper party, as follows:

Lessor: Women's Development Center
7530 West Sahara Avenue, Suite #105
Las Vegas, Nevada 89117

Lessee: ATTN: Community Services
City of Las Vegas City Hall
495 South Main Street
Las Vegas, NV 89101

Parties bound

This agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors, and also to their assigns when permitted by this agreement.

Applicable Law

This agreement shall be construed under and in accordance with the laws of the **State of NEVADA**.

Legal Construction

In case any one or more of the provisions contained in this lease shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this lease shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein. Further, the bold faced headings provided in this Agreement are for convenience in identifying the subject matter and are not to be used in interpreting the intent, meaning or effect of any clause of this agreement. This lease is to be construed to include an explicitly covenant of good faith and fair dealing between parties, each having as their ultimate goal the advancement of cooperative housing.

Sole Agreement of the Parties

This agreement constitutes the entire Agreement between the parties and shall be deemed to supersede and cancel any other agreement between the parties relating to the transactions herein contemplated. None of the Prior of contemporaneous negotiations, preliminary drafts, or prior versions of this Agreement leading up to its execution and not set forth herein shall be used by any of the parties to construe or affect the validity of this Agreement. Each party acknowledges that no representation, inducement or condition not set forth herein has been made or relied upon by either party.

Amendment

No amendment, modification, or alteration of the terms hereof shall be binding unless the same be in writing, dated subsequent to the date hereof, and duly executed by the parties hereto.

Rights and Remedies Cumulative

The rights and remedies provided by this lease are cumulative, and the use of any one right or remedy by either party shall not preclude or waive its right to use any or all other remedies. Said rights and remedies are given in addition to any other rights the parties may have by law, statute, ordinance, or otherwise.

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Exhibit 1

9 One-Bedroom

824 Held 2
824 Held 4
820 Held 3
1617 Pastel 2
1613 Pastel 1
1613 Pastel 3
1605 Pastel 2
1601 Pastel 1
1601 Pastel 2

6 Two-Bedroom

4208 Middlesex A
4225 Middlesex D
4233 Middlesex C
1560 Northwind B
1560 Northwind C
2913 Siki Court C

Maintenance Cost Schedule

The prices given for the items listed below are ***average prices only and damages vary as well as vendors prices.*** If Women's Development Center incurs a higher cost for the cleaning or repairing of an item, ***you will be responsible for paying the higher cost.***

Please note that this is not an all-inclusive list;
you can be charged for cleaning or repairing items that are not on this list.

KITCHEN CLEANING	
Oven	$120 & up
Drip Pan	$5. ea
Stove & Vent Hood	$125 not replacement
Refrigerator/ Freezer	$100
Dishwasher	$40
Cabinets & Countertops	$225

BATHROOM CLEANING	
Shower Doors	$75
Toilet(s)	$45
Tub/ Shower	$85
Sinks/ Countertops/ Cabinets	$65

MISCELLANEOUS	
Window Covering	$25 clean each
Blinds	depending on size
Carpet Cleaning	$65 +
Carpet Repairs	$250-$2600
Trash Removal	$150 & up
Wallpaper Removal	$500
Sticker/Decal Removal	$75 dollars (area)
Interior Painting	$300 -$500
Vinyl due to pattern entire area must be redone	$575
Holes in wall (small)	$75
Holes in wall (medium)	$150
Holes in wall (large)	$250 & Up

REPLACEMENT CHARGES

If any items are missing or damaged to the point they must be replaced when you move out you will be charged for the current cost of the item plus labor and service charges.

Window Glass	Vendor	Appliance Replacements	$500.00 & up
Patio Glass Door(s)	Vendor	Broken Cabinets	$150 & up
Patio Screen(s) Sec. Door	$200 to +	Countertop Refinishing	$300 & up
Window Screen(s) if applicable	$150	Closet Doors	$200 interior & up

Door Key only — $15 tenant must come to office to pick up PLEASE INITIAL _____

Mailbox Key only — $10 tenant must come to office to pick up PLEASE INITIAL _____

Re-Keying — $55

Change locks (tenant gets 2 keys) — $95.00 business hours /$175 after hours/holidays
Must be paid next business day to the admin office.) PLEASE INITIAL _____

Lock Out –***ACCESS ONLY*** — $55.00 business hours /$150 after hours/holidays
Must be paid next business day to the admin office.) PLEASE INITIAL _____

Changed locks by tenants — $50.00 each visit until able to change locks back to WDC system PLEASE INITIAL _____

Additional Keys — $15 for each key PLEASE INITIAL _____

Fire extinguisher(s)	$75 (1.5 lb. size)	Light Bulb(s)/regular	$5 & $10 dec.
Refrigerator replacement parts	$80 (depending on type)	Fluorescent	$15
Door(s)	$195 & up	Light Fixture(s)	$50 & up
Garbage Disposal(s)	$150	Fluorescent Light Cover Panel	$25 each sheet
Mini blinds replaced	$75 to $175 dep on size	Jelly Jar Outdoor Light Cover	$45
Vertical blinds	$175 patio		
Countertop(s)	$250-$500 depending on size and extent of damage		

ADDITIONAL CHARGES

FAILED HQS — $50.00 PLEASE INITIAL _____

BROKEN WINDOWS (Boarding only) — $50.00 plus vendor's price
TENANT SIGNATURE_____

Clogged Toilets/Tubs — $50.00 business hours and after 30 days residing in unit
TENANT SIGNATURE_____

BROKEN WINDOWS

ALL broken windows are Tenant responsibility. **TENANT SIGNATURE**_____

Revised January 1, 2019

LOCK OUT

If it is not WDC's normal business hours you must call a locksmith. You are responsible for calling the administrative office the following work day and notify maintenance to come and rekey to be placed on Master Key system. You will be charged the $75. WDC staff must be able to have access to all units at all times. If you ran to store or laundry room and left door unlocked WDC staff is required to lock the door behind them (workorder, spray day, filter, etc.) Please don't leave your doors unlocked. Take your keys.

It is against WDC's policies to change locks yourself. If a lock is changed without our knowledge we must return it to the Master System you will be charged $150. PLEASE INITIAL _____

LOCKED INTERIOR DOORS

If it is found that you have interior doors locked during spray, filter, hqs inspections you will be charged $50 dollars for maintenance to have to make another trip to your unit. You are always notified in advance so please ensure all interior doors are unlocked and WDC is to be able to gain access 24/7. PLEASE INITIAL _____

DAMAGE MAINTENANCE

Tenant will: (1) keep the premises clean, sanitary, and in good condition and, upon termination of the tenancy, return premises to Landlord in a condition identical to that which existed when Tenant took occupancy, expect for ordinary wear and tear; (2) Immediately notify Landlord of any defects or dangerous conditions in and about the premises of which Tenant becomes aware; and (3) reimburse Landlord, on demand by Landlord for the cost of any repairs to the premises damaged by Tenant or Tenant's guests through misuse or neglect. Prior to recertification 90 to 60 days before the end of your lease an inspection will be performed, and any damages and amounts will be sent to you via letter. These charges must be paid and damages repaired before you will be allowed to sign another lease. If you vacate the premises with the damages unpaid you acknowledge and agree that WDC will send the matter to Collections. Additionally, you will be responsible for paying the collection agency's fee. (See Lease). PLEASE INITIAL _____

NON-COMPLIANCE

If you are not ready during spray and filter week WDC will not spray and have no alternative but to charge a onetime fee of $50 dollars for non – compliance. We change the filters in your unit to help with the rising cost of energy and keep the a/c's running at peak performance. Additionally, we check your smoke detector batteries that were placed in the smoke detector at move in and you are then responsible moving forward for replacing batteries. Please make sure there is no clutter or food out on pest days as we will not spray and you will be charged for non-compliance. Examples of non-compliance are; clutter of clothing, piles of papers, boxes on the floor and against the walls, not able to enter rooms, and food and trash out in the kitchen that prevents the spray areas to be reached and be affective.

If your unit is not able to be sprayed, you will receive a non-compliance service invoice and the payment will be due upon receipt. If not paid when rent is paid, it will be deducted from your rent leaving your rent payment short and eviction process will begin, as stated in NRS 118A-420.

If you receive 3 non-compliance service invoices, WDC will not be renewing your lease.

PLEASE INITIAL _____

A/C GRATES

If the grates are found to be dirty on spray and filter weeks or at any time maintenance completes a work order in your unit, an invoice for the amount of $25.00 will be sent out and payable upon receipt. If not paid upon receipt, when rent is paid, the amount will be deducted from rent and therefore leaving you short on your rent, and eviction processes will begin as stated in NRS 118A-420.

PLEASE INITIAL _____

PLUMBING

Please make sure you are not contributing to the backup of the lines. If the backup requires a plumber to be called out, you will be responsible for the cost of the plumber and the work done.

PLEASE INITIAL _____

_____ _____

Tenant Date

Revised January 1, 2019

No Waiver of Default

No waiver by the parties hereto of any default or breach of any term, condition, or covenant of this lease shall be deemed to be a waiver of any other of the same or any other term, condition, or covenant contained herein.

IN WITNESS WHEREOF, the undersigned Lessor and Lessee hereto execute this agreement as of the day and year first above written.

WOMEN'S DEVELOPMENT CENTER
"Lessor"

By: _____

Printed Name: _____

Title: _____

Date: _____

[LEFT BLANK AND SIGNATURES CONTINUED ON NEXT PAGE]

CITY OF LAS VEGAS
"Lessee"

By: _____
Carolyn G. Goodman, Mayor

Date: _____

Attest:

By: _____
LuAnn D. Holmes, MMC, City Clerk

Approved as to Form:

By: John S. Ridilla 7/2/19
Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
16

DEPARTMENT: Economic & Urban Development **CONSENT**
DIRECTOR: Bill Arent

SUBJECT:
For possible action to approve an Amended and Restated Parking License Agreement between FAEC Holdings Wirrulla, LLC and the City of Las Vegas (City) regarding the structured parking garage beneath the retail development commonly known as Neonopolis located at 450 Fremont Street (APN 139-34-513-003) - Ward 5 (Crear)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
The Redevelopment Agency (RDA) and FAEC Holdings Wirrulla, LLC (FAEC) entered into a Parking License Agreement (PLA) on October 15, 2008, as amended by that certain First Amendment to PLA on January 7, 2009, by and between the RDA and FAEC, as amended by that certain Second Amendment to PLA on May 20, 2009, by and between the RDA and FAEC. On December 21, 2016, the parking garage was acquired by the City and assumed all of the rights and obligations of the RDA. On October 15, 2018, the PLA was further amended by that certain Third Amendment to PLA by and between the City and FAEC. The PLA granted general access parking pass cards, to the air rights owner of the retail development commonly known as "Neonopolis", for its tenants, employees and invited guests, located at 450 Fremont Street for use in the RDA's subterranean parking garage located under Neonopolis. The City and FAEC would like to enter into an Amended and Restated Parking License Agreement for a five (5) year term, reduce the number of general access pass cards to twenty (20), and amend the Parking Validation Program.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
1. Amended and Restated Parking License Agreement

AMENDED AND RESTATED PARKING LICENSE AGREEMENT

THIS AMENDED AND RESTATED PARKING LICENSE AGREEMENT (the "Amended and Restated Agreement") is made and entered into this 1st day of May, 2019, by and between the CITY OF LAS VEGAS, a political subdivision of the State of Nevada, ("Licensor" or "City"), and FAEC HOLDINGS WIRRULLA, LLC, a Delaware limited liability company ("Licensee"). Licensor and Licensee are individually referred to herein as a "Party" and collectively referred to herein as "Parties".

R E C I T A L S:

WHEREAS, the City of Las Vegas Redevelopment Agency, a public body corporate and politic of the City of Las Vegas, Nevada ("Agency"), and FAEC Holdings Wirrulla, LLC, a Delaware limited liability company ("Licensee"), entered into that certain Parking License Agreement ("Original Agreement") on the 15th day of October, 2008, as amended by that certain First Amendment to Parking License Agreement ("First Amendment") on January 7, 2009, by and between Agency and Licensee, as amended by that certain Second Amendment to Parking License Agreement ("Second Amendment") on May 20, 2009, by and between Agency and Licensee, as further amended by that certain Third Amendment to Parking License Agreement ("Third Amendment") on October 15, 2018, by and between Licensor and Licensee.

WHEREAS, the Las Vegas Redevelopment Agency ("Agency") and Licensee entered into the Original Agreement under which the Agency granted Fifty (50) general access parking pass cards ("Cards"), to Licensee, as the air rights owner of the retail development commonly known as "Neonopolis", for its tenants, employees and invited guests, located at 450 Fremont Street, Las Vegas, Nevada, described on Exhibit "A"; and whose location is depicted on the Site Map, attached hereto as Exhibit "B", for use in the Agency's subterranean parking garage located under Neonopolis (the "Property") and;

WHEREAS, the parties entered into the First Amendment in order to amend the Original Agreement to provide for an additional One Hundred Fifty (150) Cards.

WHEREAS, the Agency and Licensee entered into the Second Amendment in order to amend the Original Agreement and First Amendment to provide for a modification in the default period.

WHEREAS, The Property was acquired by the Licensor on December 21, 2016 and in connection therewith, (i) the Agency assigned the First Amendment and the Second Amendment to Licensor, and (ii) Licensor assumed all of the rights and obligations of Agency under the First Amendment and the Second Amendment.

WHEREAS, the Parties entered into the Third Amendment in order to provide for an extension of time and revise the Parking Validation Program (the Original Agreement, First Amendment, Second Amendment, and Third Amendment to be referred to collectively as the "Prior Agreements").

WHEREAS, the parties desire to amend and restate the Prior Agreements.

WHEREAS, Licensee desires to make use of the Property for certain purposes as described herein.

WHEREAS, Licensor is willing to allow Licensee to enter upon the Property subject to all of the terms and conditions of this Amended and Restated Agreement.

NOW, THEREFORE, LICENSOR AND LICENSEE AGREE AS FOLLOWS:

1. **License**. Licensor hereby grants to Licensee a license to use Twenty (20) general access parking pass cards ("Cards") for use at the parking garage located on the Property (the "License"). Each cardholder shall have the right to park in the Property, at no cost, 24 hours per day/7days a week. This License to the Cards is irrevocable and, subject to the terms and conditions hereinafter set forth. This Amended and Restated Agreement grants a license to the Cards only and does not convey any interest in the Property whatsoever. Licensee acknowledges that the Licensor may periodically need to reverse the flow of traffic at the entrance and/or exit due to special downtown events (e.g., parades, New Years Eve, charity runs), and that ingress and or egress will consequently be rerouted before, during, and after those events. Licensor shall provide notice of ingress-egress rerouting no less than seven (7) days in advance. The Parties agree that this Amended and Restated Agreement supersedes in all respects the Prior Agreements and that the Prior Agreements are no longer in force and effect.

2. **Term**. The License granted in Section 1 shall commence on the effective date of this Amended and Restated Agreement and shall terminate April 30, 2024 (the "Term") unless and until terminated, pursuant to Section 17 ("Termination"). The effective date is the date this Amended and Restated Agreement has been both approved and executed by the Licensor.

3. **Intentionally Omitted**

4. **Consideration and Rent Commencement**. The License to the Cards shall be at no charge to the Licensee. This does not alter or modify the Reciprocal Easement Agreement dated November 30, 1998 ("REA") and/or First Amendment to the Reciprocal Easement Agreement dated June 9, 2006 (REA Amendment), Section 2.17, Reimbursement of Future Utility Costs and Pro Rata Costs, or any future amendments to the REA.

5. **Parking Validation Program**. The term of the Parking Validation Program under the Sixth Amendment to the Disposition and Development Agreement by and between the City of Las Vegas Redevelopment Agency and World Entertainment Centers, LLC dated December 4, 2006, as amended from time to time, shall be extended and shall be coterminous with the Term of this Amended and Restated Agreement. Nothing in Parking Validation Program will diminish the rights of either party under this Amended and Restated Agreement. Tenants of Neonopolis may approach the Licensor directly to negotiate their own Parking Validation Program. At any time during the Term, the Licensee may approach the Licensor to renegotiate the terms of this Parking Validation Program based on the requirement of Neonopolis and its Tenants at that time. Validation rates are set forth as follows:

One (1) Hour	-	$0.75
Two (2) Hour	-	$1.50
Three (3) Hour	-	$2.25
All Day	-	$3.00

6. **Use of Property**. Licensee may use the Property for the purpose of permitting tenants of the Neonopolis Complex ("Facility") and their employees, customers and invitee to park at the Facility. All such persons are hereby granted the right to use the Property subject to this Amended and Restated Agreement. Licensee shall materially comply with all government rules, regulations, ordinances, statutes and laws, and all covenants, conditions and restrictions pertaining to the Property or the use thereof by Licensee and such other parties.

7. **Improvements**. Licensee shall pay for any improvements constructed by Licensee for the Licensee's use on the Property. Any improvement constructed or installed by Licensee shall be approved in writing by the Licensor in advance. Licensor's approval is within the Licensor's sole discretion. Licensee shall return the Property, including landscaping and driveways, to its existing condition, reasonable wear and tear excepted, on the expiration of the Term or earlier termination of this Amended and Restated Agreement, unless otherwise approved by Licensor.

8. **Taxes**. All real estate taxes if any, shall be paid by the Licensor. Licensee shall pay only those real estate taxes and special assessments, if any, which are assessed against the Property during the Term that are directly related to Licensee's use of the garage parking spaces, or due to improvements made to the Property by Licensee pursuant to Paragraph 6.

9. **Security.** Licensor shall provide security to the Property. In the event Licensee should request additional security, it shall be at the sole cost of Licensee. Licensee acknowledges that parking at the Property is at the risk of the Licensee and the individual users and no bailment is created by this Amended and Restated Agreement.

10. **Maintenance**. Licensor shall keep and maintain the Property in good order, condition, and repair, keep the Property free from waste, claims, and liens. Appropriate levels of maintenance shall be at the sole discretion of the Licensor. Licensee shall be responsible for repairing any damage to the Property resulting from Licensee's use of the Property.

11. **Utilities**. Licensor shall pay all charges for water, electricity, and all other services or utilities contracted for by Licensor with respect to the Property. Licensee shall pay for any requested additional special services, not currently provided by Licensor.

12. **Insurance**. Licensee shall, prior to entering upon the Property, at its sole cost and expense, procure and maintain in full force and effect insurance in the following forms and types and in amounts not less than the following:

a. Broad Form Commercial: $2,000,000 per occurrence General Liability (to include Employer's Liability, bodily injury, property damage and personal injury)

b. Insurance required to be maintained by Licensee hereunder shall be in companies holding a "General policyholder's Rating" of A or better, as set forth in the most current issue of "Best's Insurance Guide." Licensee shall deliver to Licensor, prior to entering upon the Property, original certificates evidencing the existence and amounts of such insurance. No such policy shall be cancelable or subject to reduction of coverage except after thirty (30) days prior written notice to Licensor. Licensee shall, within thirty (30) days prior to the expiration, cancellation, or reduction of such policy, furnish Licensor with a renewal or "binder" thereof. Licensor shall be named as an additional insured on such policy.

c. Licensee hereby agrees to defend, indemnify and save Licensor harmless from and against any and all liability, claims, damagers, losses, costs and expenses (including, but not limited to reasonable attorneys fees) arising out of or in connection with Licensee's use or operation of the Property.

13. **Licenses, Permits**. Licensee agrees to obtain any required licenses or permits that may be required throughout the City of Las Vegas, Department of Public Works, and or Clark County Health District for Licensee to exercise the general access parking pass cards.

14. **Licensor's Right of Entry**. Licensor and its authorized agents and representatives may enter the Property at any time for any reasonable purpose provided that Licensor shall make reasonable efforts to minimize interference with Licensee's use of the Property as permitted by this Amended and Restated Agreement.

15. **Assignment**. Licensee shall have no right to assign, mortgage, pledge, or otherwise encumber this License in whole or in part without the express prior written consent of Licensor.

16. **Default by Licensee**. The following shall constitute an event of default by Licensee:

a. Failure to perform, when required, any non-monetary obligation of Licensee hereunder within five (5) days after Licensee receives written notice thereof from Licensor.

17. **Termination**. Upon an event of default by Licensee as set forth in Section 16, Licensor may terminate this Amended and Restated Agreement with cause and end the Term of this Amended and Restated Agreement by giving the Licensee notice of date of termination at least ten (10) days prior to such date of termination. The date of termination is referred to as the “Termination Date”. Upon the giving of such notice, Licensee shall immediately begin vacating the Property on a schedule that will guarantee the Property will be completely vacated and the Property put into the condition as satisfactory to Lessor, by such date of the termination. On or before the Termination Date, Licensee shall immediately cease use of the Cards, which shall be voided and ineffective. In the event of termination of this Amended and Restated Agreement, the remaining provisions of the Agreements shall remain in full force and effect until all duties and obligations of the Licensee are completed.

18. **Notices**. Any and all notices and demands by or form Licensor to Licensee, or by or from Licensee to Licensor, required or desired to be given hereunder shall be in writing and shall be validly given or made if served either personally or if deposited in the United States mail, certified or registered, postage prepared, return receipt requested. If such notice or demand be served by registered or certified mail in the manner provided, service shall be conclusively deemed given two (2) days after mailing or upon receipt, whichever is sooner.

To Licensor: City of Las Vegas
500 South Main Street
Las Vegas, NV 89101
Attention: Brandy Stanley, Parking Services Manager

To Licensee: FAEC Holdings Wirrulla, LLC
450 Fremont Street
Las Vegas, NV 89101
Attention: Dharmesh Bhanabhai

19. **No Partnership**. Nothing contained in this Amended and Restated Agreement, nor any acts of the parties hereto, shall be deemed or construed by the parties hereto or by any third party to create the relationship of principal and agent or of partnership or of joint venture or of any association between Licensor and Licensee other than the relationship of Licensor and Licensee.

20. **Disclosure of Principals**. Pursuant to Resolution R-106-99 adopted by the Las Vegas City Council effective October 1, 1999, Licensee warrants that it has disclosed, on the form attached hereto as Exhibit "C" all principals, including, partners of Licensee, as well as all persons and entities holding more than 1% interest in Licensee and or any principal or Licensee. Throughout the term hereof, Licensee shall notify Licensor in writing of any material change in the above disclosure within fifteen (15) days of any such change.

21. **Captions**. The captions appearing at the commencement of the sections hereof are descriptive only and for convenience in reference to this Amended and Restated Agreement and in no way whatsoever define, limit or describe the scope or intent of the Amended and Restated Agreement, nor in any way affect this Amended and Restated Agreement.

22. **Governing Law**. The laws of the State of Nevada shall govern the validity, construction, performance, and effect of this Amended and Restated Agreement.

23. **Exhibits**. All Exhibits referred to above form a part of, and are incorporated in, this Amended and Restated Agreement.

24. **Entire Agreement**. This Amended and Restated Agreement sets forth the entire understanding and agreement between the parties hereto and supersedes all previous communications, negotiations and agreements, whether oral or written, with respect to the

subject matter hereof. No addition to or modification of this Amended and Restated Agreement shall be binding on either party unless reduced to writing and duly executed by or on behalf of the parties hereto. No representation or statement not expressly contained in this Agreement or in any written, properly executed amendment to this Amended and Restated Agreement shall be binding upon Licensor or Licensee as a warranty or otherwise.

25. **Counterparts; Facsimile Signatures**. This Amended and Restated Agreement may be executed in counterparts. Each of said counterparts, when so executed and delivered, shall be deemed an original and, taken together, shall constitute but one and the same instrument. This Amended and Restated Agreement may be executed by a facsimile or electronic mail of the signature of any party, with the facsimile or electronic mail signature having the same force and effect as if this Amended and Restated Agreement had been executed by the actual signature of any party.

26. **Indemnification**. Unless resulting from the gross negligence or willful misconduct of Licensor, Licensee shall indemnify and hold Licensor, its officers, directors, managers, employees and agents and the Property harmless from any and all claims, demands, causes of action, judgments, liabilities, losses, costs and expenses including attorneys' fees, liens, charges and encumbrances of any kind whatsoever in connection with, arising out of or by reason of the use of the Property by Licensee or in connection with any failure to comply with any provision of this Amended and Restated Agreement, or in connection with, arising out of or by reason of any act, omission or negligence of Licensee while in, upon or in any way connected with the Property; or arising from any accident, injury or damage to any person or property whatsoever occurring upon, about or in any way connected with the Property. Licensee shall at its sole cost and expense, obtain the discharge and release of any lien, charge or encumbrance filed of record by reason of acts of Licensee within fifteen (15) days after the filing of the same. Nothing contained herein shall prevent Licensor, at the cost and for the account of Licensee, from at anytime obtaining such discharge and release in the event Licensee shall fail or refuse to do so. Licensee's indemnity is not intended to nor shall it relieve any insurance carrier of its obligations under policies required to be obtained by Licensee pursuant to the provisions of this Amended and Restated Agreement to the extent such policies cover the results of negligent acts of Licensee or Licensor or their respective officers, affiliates, agents, contractors or employees, or the failure of Licensee to perform any of its obligations under this Amended and Restated Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Amended and Restated Agreement to be executed on the date first set forth above.

[SIGNATURES ON FOLLOWING PAGE]

CITY OF LAS VEGAS
("LICENSOR")

By: _____
Carolyn G. Goodman, Mayor

ATTEST:

_____
LuAnn Holmes, MMC, City Clerk

Approved as to form:

_____ 6-20-19
Date

FAEC HOLDINGS WIRRULLA, LLC
("LICENSEE")

By: _____
Dharmesh Bhanabhai, Managing Member

ACKNOWLEDGEMENTS

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

On this ___ day of _____, 2019, Carolyn G. Goodman before me personally appeared and executed the foregoing agreement on behalf of the City of Las Vegas.

_____
NOTARY PUBLIC

My commission expires:_____

STATE OF Nevada)
) ss:
COUNTY OF Clark)

On this 18 day of June, 2019, Dharmesh Bhanabhai before me personally appeared and executed the foregoing agreement on behalf of FAEC Holdings Wirrulla, LLC.

RAMON J. LOPEZ
NOTARY PUBLIC
STATE OF NEVADA
COUNTY OF CLARK
My Comm. Expires 02-16-2021
Certificate No. 17-1746-1

_____
NOTARY PUBLIC

My commission expires: 2-16-2021

EXHIBIT "A"

The Property

A PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 34,TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B.&M., IN THE CITY OF LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 1 OF NEONOPOLIS, A COMMERICAL SUBDIVISION, FILED IN BOOK 87 OF PLATS, PAGE 35 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY BEING FURTHER DESCRIBED AS FOLLOWS:

BLOCK 34 OF “CLARKS LAS VEGAS TOWNSITE” AS SHOWN ON PLAT BOOK 1, PAGE 37 LYING BELOW THE VAIOUS LOT ELEVATIONS AS SHOWN ON THE RECORD OF SURVEY DESCRIBED BELOW AND A VARIABLE SLOPE ELEVATION IN THE SD (SERVICE DOCK) LOT FROM 2009.50 TO 2007.20 FEET FOR CURBING, DRIVEWAY AND PLANTER AREAS TO MEET EXISTING GRADE ON ODGEN AVENUE, THE SAME AS DELINEATED ON A RECORD OF SURVEY FILED IN FILE 098 OF SURVEYS PAGE 0089 RECORDED ON NOVEMBER 30, 1998 IN BOOK 981130 AS DOCUMENT NO. 04693, OFFICIAL RECORDS OF SAID COUNTY.

EXCEPTING THEREFROM THE AIR RIGHTS IN AND TO SAID PARCEL AS CONVEYED BY DEED RECORDED NOVEMBER 30, 1998 IN BOOK 981130 AS DOCUMENT NO. 04694, OF OFFICIAL RECORDS.

EXHIBIT "B"

Site Map

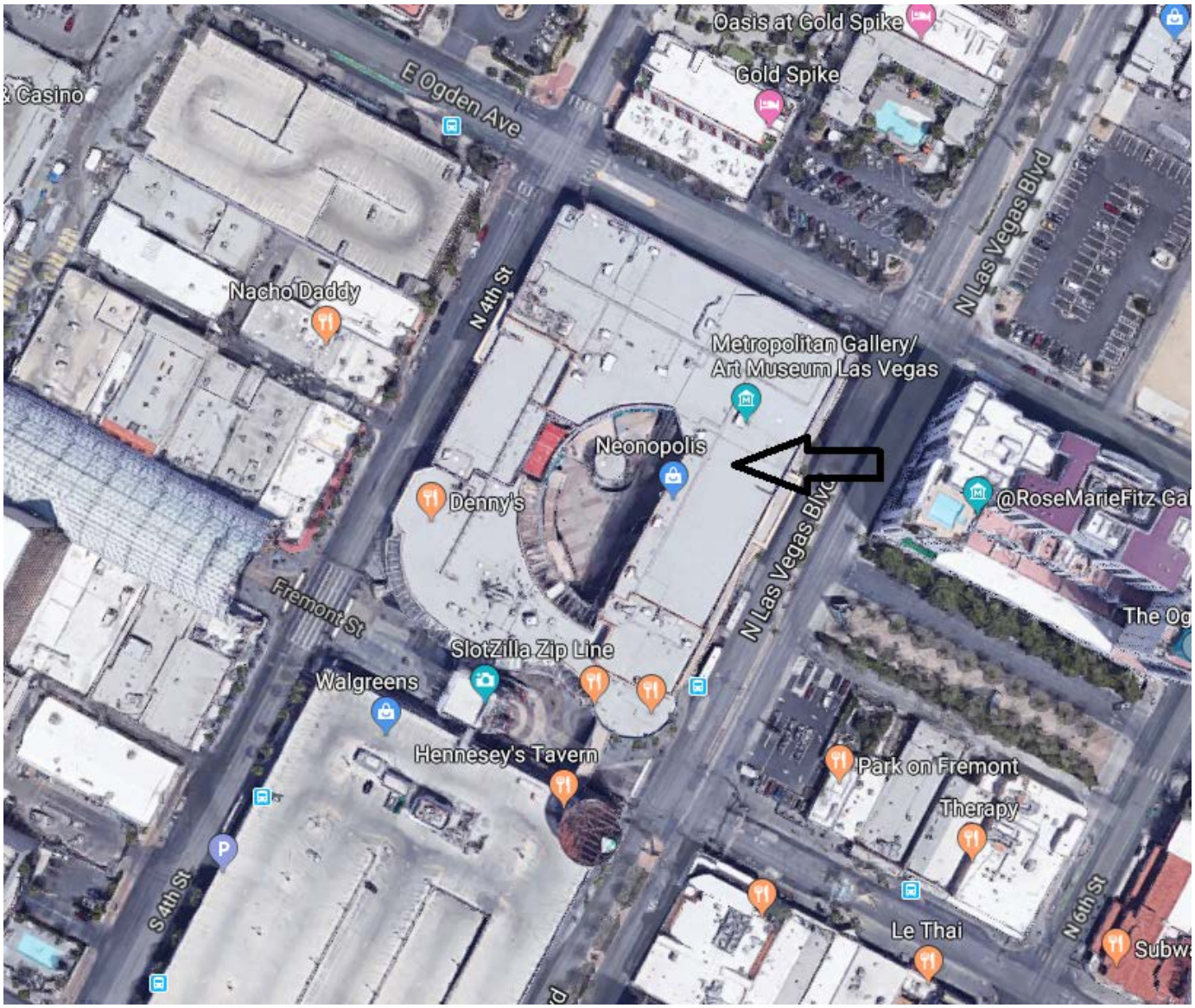


EXHIBIT "C"

CERTIFICATE DISCLOSURE OF OWNERSHIP/PRINCIPALS

1. Definitions

"City" means the City of Las Vegas.

"City Council" means the governing body of the City of Las Vegas.

"Contracting Entity," means the individual, partnership, or corporation seeking to enter into a contract or agreement with the City of Las Vegas.

"*Principal"* means, for each type of business organization, the following: (a) sole proprietorship – the owner of the business; (b) corporation – the directors and officers of the corporation; but not any branch managers of offices which are a part of the corporation; (c) partnership – the general partner and limited partners; (d) limited liability company – the managing member as well as all the other members; (e) trust – the trustee and beneficiaries.

2. Policy

In accordance with Resolution 79-99 and 105-99 adopted by the City Council, Contracting Entities seeking to enter into certain contracts or agreements with the City of Las Vegas must disclose information regarding ownership interests and principals. Such disclosure generally is required in conjunction with a Request for Proposals (RFP). In other cases, such disclosure must be made prior to the execution of a contract or agreement.

3. Instructions

The disclosure required by the Resolutions referenced above shall be made through the completion and execution of this Certificate. The Contracting Entity shall complete Block 1, Block 2, and Block 3. The Contracting entity shall complete either Block 4 or its alternate in Block 5. Specific information, which must be provided, is highlighted. An Officer or other official authorized to contractually bind the Contracting Entity shall sign and date the Certificate, and such signing shall be notarized.

4. Incorporation

This Certificate shall be incorporated into the resulting contract or agreement, if any, between the City and the Contracting entity. Upon execution of such contract or agreement, the Contracting Entity is under a continuing obligation to notify the City in writing of any material changes to the information in this Certificate. This notification shall be made within fifteen (15) days of the change. Failure to notify the City of any material change may result, at the option of the City, in a default termination (in whole or in part) of the contract or agreement, and/or a withholding of payments due the Contracting Entity.

Block 1 **Contracting Entity**
FAEC Holdings Wirrulla, LLC
Name
Telephone 702 243 0654
EIN or DUNS 20-8847905

Block 2 **Description**
Amended and Restated Parking License Agreement
RFP#

Block 3 **Type of Business**
☐ Individual ☐ Partnership ☒ Limited Liability Company ☐ Corporation ☐ Trust ☐ Other:

CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS
(CONTINUED)

Block 4 Disclosure of Ownership and Principals
In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.

	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.	Dharmesh Bhanabhai	450 Fremont St., Ste 285	702 243 0654
2.		Las Vegas, NV 89138	
3.			
4.			
5.			
6.			
7.			

The Contracting Entity shall continue the above list on a sheet of paper entitled "disclosure of Principals – Continuation" until full and complete disclosure is made. If continuation sheets are attached, please indicate the number of sheets: _____.

Block 5 DISCLOSURE OF OWNERSHIP AND PRINCIPALS – ALTERNATE

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this Certificate in lieu of providing the information set forth in Block 4 above. A description of such disclosure documents must be included below.

Name of Attached Document: Amended and Restated Parking License Agreement

Date of Attached Document: 5/1/2019 Number of Pages: _____

I certify under penalty of perjury, that all the information provided in this Certificate is current, complete, and accurate. I further certify that I am an individual authorized to contractually bind the above named Contracting Entity.

Name Dharmesh Bhanabhai

Date 6/18/2019

Subscribed and sworn to before me this 18 day of June, 2019

Notary Public

RAMON J. LOPEZ
NOTARY PUBLIC
STATE OF NEVADA
COUNTY OF CLARK
My Comm. Expires 02-16-2021
Certificate No. 17-1746-1

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
17

DEPARTMENT: Finance **CONSENT**
DIRECTOR: Venetta Appleyard

SUBJECT:
For possible action to approve an increase to Purchase Order No. 388718 to increase the Construction Conflicts and Contingency Reserve for Contract No. 17.60005-JL, Symphony Park Parcels B and L, which are generally bounded by Symphony Park Avenue to the north, Union Pacific Railway to the east, West Clark Avenue to the south, and South Grand Central Parkway to the west - Department of Public Works - Award recommended to: THE WHITING-TURNER CONTRACTING COMPANY ($800,000 - General Capital Projects Fund) - Ward 5 (Crear)

FISCAL IMPACT:
Budget Funds Available
Amount: $800,000
Funding Source: General CPF
Dept./Division: Public Works

PURPOSE/BACKGROUND:
On February 21, 2018, the subject contract was awarded by City Council in the amount of $27,843,851 including an $895,000 contingency, for the construction of two parking garages in Symphony Park, on Parcels B and L, resulting from a competitive design-build construction solicitation. On February 10, 2019, City Council approved a contingency increase of $6,168,984 to expand the design of the Parcel B garage and additional tenant improvements in the Parcel L garage for new City Parking Enforcement offices and other upgrades. This contingency increase provides for increased general and tenant improvement construction costs, streetlights, unanticipated NV Energy power feed requirements, enhanced landscape buffering and a fiber optic connection to the 500 South Main Street garage. The Whiting-Turner Contracting Company is located in Las Vegas, Nevada.

RECOMMENDATION:
Approve as recommended with signature authority granted to the Purchasing Manager per R-20-2017.

BACKUP DOCUMENTATION:
1. Purchase Order Funding Increase Request

CITY OF LAS VEGAS
DEPARTMENT OF PUBLIC WORKS

CONSTRUCTION CONTRACT
P.O. FUNDING INCREASE REQUEST

DATE: 6/12/2019 MODIFICATION NUMBER: 2

TO: **Edward O'Neal**, Manager, Purchasing & Contracts

FROM: **Mike Jansen,** Public Works Director

RE: **Modification to Increase the Construction Conflicts & Contingency Reserve**

Upon your review and approval, please process the following contingency increase.

PROJECT:	**Symphony Park Parcel B&L Parking Garages**	WARD NUMBER:	5
CONTRACTOR:	**The Whiting Turner Contracting Co.**	PROJECT HANSEN NUMBER:	60005
BID #:	**17.60005-JL**	CONSTRUCTION CONTRACT P.O. NO.	**388718**
DELIVERY METHOD:	Design / Build		
PUBLIC WORKS PROJECT MANAGER:	Michael Vlaovich	PHONE:	x-1045
PURCHASING CONTRACT SPECIALIST:	John Lonborg	PHONE:	x-1826

ENCUMBERANCES

	Base P.O. Amount	Owner's Contingency	CMAR's Contingency	Cont % of Base
Original Contract & Contingency Award:	$26,948,851.00	$895,000.00		3%
Previously Approved Contingency Increases:		$6,168,984.00		23%
Current Total Encumberance:	**$26,948,851.00**	**$7,063,984.00**	**$0.00**	26%
Contingency Used as of the Date Above:		$5,504,502.00	$0.00	20%
Amount of Previously Approved Contingency Remaining:		$1,559,482.00	$0.00	6%
Percent of Previous Approved Contingency Used to Date:		78%		
Percent of the Construction Completed to Date:	80%			

Requested Contingency Increase: **$800,000.00**

FUNDING FOR THIS INCREASE

Funding Source	Fund	Org	Account	Project WA	Task/Option	Owner's Contingency	CMAR's Contingency
Parking EF	401000	40041	810600	WU8752		$800,000.00	
					Total	$800,000.00	$0.00

Continued on next page

SUMMARY OF PREVIOUS
CHANGE ORDERS

Reason Code	Owner's Contingency	CMAR's Contingency	% of Total
Design & Drawing Deficiencies, Code Issues:			0%
Owner Directives:	$5,347,101.00		97%
Unforeseen Conditions & Events:	$157,401.00		3%
Amount of Contingency Used to Date:	**$5,504,502.00**	**$0.00**	

JUSTIFICATION FOR CONTINGENCY INCREASE

CURRENT CONTINGENCY REQUEST: As indicated below for the first contingency request, further scope adjustments and unknowns had potential for further purchase order increases. Key among the subsequent scope increases requiring a second contingency request are higher than estimated tenant improvement construction costs, unanticipated need for new Nevada Energy primary power feed, upcosts related to the discontinuation of the Symphony Park standard streetlights, additional landscape buffering at an adjacent CPV owned parcel, and the need to connect both parking garages to the existing 500 South Main Street Parking Garage with communication fiber.
PRIOR CONTINGENCY INCREASE:Subsequent to the project award, the City desired to increase the size of the parking garage located on Symphony Park Parcel B from a 3-bay structure to a 4 bay structure, providing 694 parking spaces rather than the original scope of 500 parking spaces. The total cost for design, construction and added permit and inspection fees for this change exceeds $5 million. Similarly, the City also subsequently desired that the scope of the project be increased for: the Parcel L Garage to include design and construction of a private drive extension beyond the limits of the project; the incorporation of design and construction of a 6,000 square foot tenant improvement in the Parcel L Garage for the City's Parking Enforcement Offices; and miscellaneuos other lesser impact upgrades and scope adds. The requested contingency increase adequately funds the project with all known changes authorized and those pending approval of this Purchase Order increase request. Further requests, if any, for further scope adjustments may require an additional PO incease using funding that may be made availabe for this project at a later date.

If this increase is granted, **the contingency should be sufficient to complete the project.**

Attached is a list of completed change orders, pending change orders, and potential change order issues.

APPROVALS

Initials	*Date*	
MV	6-12-19	Michael Vlaovich, Program Manager
AEP	6-17-19	Allen Pavelka, City Engineer
MJ	6-19-19	Mike Janssen, Public Works Director

Form Revised 6/18/2015

PCI TRACKING LOG

06/12/19

PCI #	OCO #	Title	Budget Amount	Approved Amount	Post Date	Authorization to Proceed
PCI 001	OCO 001	4th Bay Change Order Design Only		$528,462	5/3/2018	Approved
PCI 003	OCO 002	4th Bay Change Order		$4,471,538	8/22/2018	Approved
PCI 004	OCO 003	Additional Light Pole Removal Lot B		$6,350	8/29/2018	Approved
PCI 009	OCO 004	Garage L TI Design Cost		$97,773	11/13/2018	Approved
PCI 006	OCO 005	Demo and Removal of Unsuitable Material		$88,729	11/14/2018	Approved
PCI 005	OCO 006	Permit Fees		$14,978	1/10/2019	Approved
PCI 011	OCO 007	Grand Central Parkway		$47,650	1/16/2019	Approved
PCI 013	OCO 008	Additional Bumper Blocks		$57,229	1/16/2019	Approved
PCI 014	OCO 009	Change from Aluminum to Copper Bussing and Removal of ATS		$14,390	1/16/2019	Approved
PCI 010	OCO 010	Parking Equipment Layout Design Fee		$7,466	2/19/2019	Approved
PCI 016	CCO 011	Added Landscape Scope on B&L		$49,039	4/16/2019	Approved
PCI 058	OCO 012	Garage L Access Road Extension to st. 218.62		$145,477	5/1/2019	Approved
PCI 058	OCO 012	Garage L Retaining Wall Deduct		-$138,782	5/1/2019	Approved
PCI 060	OCO 013	Added Signage from Parking Review B&L		$9,700	5/15/2019	Approved
PCI 020	OCO 014	Fire Line Re-work for RPDA Relocation B		$4,715	5/28/2019	Approved
PCI 018	015	Historical Pedestrian Lights Price Change		$63,957	6/6/2019	Approved
PCI 019	016	Total Cost for Added Fiber		$35,831	6/6/2019	Approved
PCI 075		Added Paint for Stairs Garage B and L	$53,177			Submitted
PCI 076		Paint Retaining Wall on East Side of L	$6,411			Submitted
PCI 084		Early Release Change Order	$99,949			Submitted
PCI 017		Garage L TI Build Out	$1,866,778			Submitted
		Temp Storefront Deduct Garage L	With TI Cost			With TI Cost
PCI 012		Additional Third Retail space on Garage B	$20,928			Pending TI
PCI 019		Garage L Access Road Barrier Wall & Rail	Postponed			Postponed
PCI 070		NVE Primary's	$95,632			ROM
PCI 077		Cox and Century Link Tie in to Existing				Awaiting Design
PCI 087		Fiber Infrastructure for Cameras/LV				Awaiting Pricing
Total			$2,142,875	$5,504,502		

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
18

DEPARTMENT: Finance **CONSENT**
DIRECTOR: Venetta Appleyard

SUBJECT:
For possible action to approve award of Amendment No. 4 to Contract No. 170126-JH, Professional Services Contract for Form-Based Code to Implement Downtown Master Plan - Department of Planning - Award recommended to: LISA WISE CONSULTING, INC. ($101,780 - General Capital Projects Fund) - Wards 1, 3 and 5 (Knudsen, Diaz and Crear)

FISCAL IMPACT:
Budget Funds Available
Amount: $101,780
Funding Source: General CPF
Dept./Division: Planning

PURPOSE/BACKGROUND:
On April 11, 2017, the subject contract was awarded by City Council. Amendment No. 1 was awarded November 16, 2017, for an increase to the scope of work for Bonanza Road Analysis and additional leadership workshops. Amendment No. 2, awarded February 12, 2018, was for additional stakeholder meetings and for the Las Vegas Medical District Axonometric Model. Amendment No. 3, awarded April 19, 2018, was to extend the contract through September 30, 2019. Amendment No. 4 provides for the Historic Westside District Form Base Code and 3D Modeling Diagrams for the Historic Westside District. Lisa Wise Consulting, Inc. is located in San Luis Obispo, California.

RECOMMENDATION:
Approve award as recommended with signature authority given to the Purchasing Manager per R-20-2017.

BACKUP DOCUMENTATION:
1. Amendment No. 4 to Contract No. 170126-JH
2. Certificate - Disclosure of Ownership/Principals

AMENDMENT NO.4

PROFESSIONAL SERVICES CONTRACT
FOR FORM-BASED CODE TO IMPLEMENT DOWNTOWN MASTER PLAN

THIS AMENDMENT No. 4 is made and entered into this _____ day of _____, 2019, by and between the City of Las Vegas, a municipal corporation of the State of Nevada (the "City"), and Lisa Wise Consulting, Inc. (hereinafter the "Company", (the "Company"), a Corporation organized and existing under the laws of the State of California, having its principal office at 983 Osos Street, San Luis Obispo, CA 93401.

WHEREAS, the City and the Company have entered into a Contract dated April 11, 2017, (herein the "Contract", and as attached as Exhibit A), retaining the services of the Company for Form-Based Code more fully described therein in connection with the improvements for the project Form-Based Code to Implement Downtown Master Plan (herein "Project") and,

WHEREAS, the City and the Company have entered into Amendment No.1 on November 16, 2017, and

WHEREAS, the City and the Company have entered into Amendment No.2 on February 12, 2018, and

WHEREAS, the City and the Company have entered into Amendment No.3 on April 19, 2018, and

WHEREAS, the City exercised the option to temporarily extend the contract through September 30, 2019, and

NOW, THEREFORE, in consideration of the above premises, the parties hereto agree that the following changes shall be made to the Contract:

4.1 A-2 Contract Amount

Delete the following:

A-2 Contract Amount

The Contract Amount shall not exceed Two Hundred Eighty-Nine Thousand One Hundred Forty-Four Dollars **($289,144).**

Replace with the following:

A-2 Contract Amount

The Contract Amount shall not exceed Three Hundred Ninety Thousand Nine Hundred Twenty-Four Dollars **($390,924).**

4.2 A-3 Performance Period

Delete the following in its entirety

A-3 Performance Period [CAO-01/20/16]

(a) The performance period commences from Award Date and continues through the completion of services provided , anticipated to be no later than **June 30, 2019**, unless extended in writing in accordance with Section E-13 "Modification/Amendment".

Replace with the following:

A-3 Performance Period [CAO-01/20/16]

(a) The performance period commences from Award Date and continues through the completion of services provided, anticipated to be no later than **June 30, 2020**, unless extended through mutual agreement in writing by both parties.

4.3 Exhibit A, Scope of Work

Add the following:

Exhibit A, Scope of Work Amendment 4, attached below.

4.4 Exhibit B – Pricing

Add the following:

Exhibit B – Pricing Amendment 4, attached below.

4.5 The Parties represent and acknowledge that as of the date of this Amendment No. 4, neither party (i) is in default under the terms of the Contact; (ii) has any defense, set off, or counterclaim to the enforcement by either party of the terms of the contract; and (iii) is aware of any action or inaction by either party that would constitute a default by either party under the Contract.

4.6 In the event of a conflict between any provision(s) of the Contract, Amendment No.1, Amendment No.2, Amendment 3, and of this Amendment No. 4, this Amendment No. 4 shall control.

4.7 In all other respects, the Contract is hereby ratified and confirmed, in full.

4.8 Counterparts. This Amendment No.4 may be executed in counterparts, all such counterparts will constitute the same contract and the signature of any party to any counterpart will be deemed a signature to, and may be appended to, any other counterpart. Executed copies hereof may be delivered by facsimile or e-mail and upon receipt will be deemed originals and binding upon the parties hereto, regardless of whether originals are delivered thereafter.

IN WITNESS WHEREOF, the parties hereto have caused this Contract Amendment No.4 to be executed by their duly authorized representatives.

CITY OF LAS VEGAS		**LISA WISE CONSULTING, INC.**	
EDWARD O'NEAL Manager, Purchasing and Contracts	Date	LISA WISE, AICP, President	Date

ATTEST:

LUANN D. HOLMES, MMC — Date
City Clerk

APPROVED AS TO FORM:

Seth T. Floyd
Deputy City Attorney

6/27/19

Deputy City Attorney — Date

EXHIBIT A – SCOPE OF WORK AMENDMENT 4

SCOPE OF WORK – Historic Westside District FBC

Background

Lisa Wise Consulting, Inc. (Company) is under contract to assist the City of Las Vegas (City) with the development of Form-Based Codes (FBCs) for three targeted Core District growth areas in the Downtown, including the Medical District (adopted), Fremont East District (PRD submitted), and the 18B Las Vegas Arts District. In addition, the original Scope of Work included completion of a baseline analysis and report of the Bonanza Road Corridor within the Historic Westside District.

Company will commence to prepare a Form-Based Code for the Historic Westside District, i.e. the area south of Owens Avenue, east of Martin Luther King Boulevard, north of the 95 freeway, and north and west of Interstate 15 that will build upon the adopted FBC now included as Chapter 19.09, Form-Based Code in the Unified Development Ordinance.

TASK 3.B – HISTORIC WESTSIDE DISTRICT FBC

The Westside Historic District is located northwest of the Downtown Core. The *Vision 2045 Downtown Las Vegas Master Plan* describes the District as playing a pivotal role in the history of Las Vegas as it was the location for the City's first integrated resort and casino. While the district has a strong identity and a rich African-American culture, it has seen limited economic growth. The Downtown Plan envisions this district as a thriving community through the development of new housing, local businesses, jobs, education and amenities, as well as the development of new flex office space on the east side of M.L.K. Boulevard.

Bonanza Road is major east-west corridor on the south side of the District. In May 2016 the UNLV Downtown Design Center produced the *100 Plan for the Historic Westside Community*. This document creates a vision for the Historic Westside "as a thriving district of African American culture" and as a "unique place where the world will come together to live, work, visit, and play, through the development of housing, local business, jobs, education, hospitality, and cultural pride".

TASK 3.B-1: Kick-Off Meeting and Microscale Analysis

Company will prepare for and participate in one teleconference with City staff to discuss project goals, objectives, the scope of work and the planning area, needs, schedule, budget, any areas of concern, etc.

Building off the work already completed for the Las Vegas FBC, a targeted micro-scale analysis within the Historic Westside District will be conducted by City planning staff with technical assistance as needed by the Company. Information gathered by City staff will help to fine-tune existing standards in the LV FBC as necessary for application in this District.

TASK 3.B-2: 2-Day Implementation Workshop (Trip 1)

The Company will prepare for and attend a 2-Day Implementation Workshop that will ideally take place in a church hall or similar building in the Westside District. This workshop will build off the previous work completed in the District, especially the *100 Plan for the Historic Westside Community*, and it will be focused on how the established vision for the Westside District will be realized through a FBC. The

workshop will include an overview of FBCs and how they may be applied to fulfill the vision for the District. A detailed review and analysis of the 100 Plan will be included in this Task and presented at the Workshop.

Deliverable: Workshop materials, agenda, presentations, and summary notes (City staff are responsible for locating the meeting space, noticing and advertising of the workshop, and refreshments.

TASK 3.B-3: Administrative Draft FBC

The Company will prepare an Administrative Draft FBC for the Historic Westside District and a Regulating Plan to be incorporated into Chapter 19.09, Form-Based Code of the Unified Development Code.

Deliverable: Administrative Draft FBC

TASK 3.B-4: Administrative Draft FBC Review

City staff will review the Administrative Draft FBC. The Company will participate in up to three teleconference calls with City staff to answer questions and provide clarifications as needed.

TASK 3.B-5: Screencheck Draft and Review

The Company will prepare a Screencheck FBC Draft based on City staff's review and comments on the Administrative Draft FBC for review by City staff. The Company will participate in a teleconference call with City staff to answer questions and provide clarifications as needed.

Deliverable: Screencheck Draft FBC

TASK 3.B-6: FBC Public Review Draft

The Company will prepare a final Public Review Draft that City staff will present in workshops and meetings to District residents.

Deliverable: Public Review Draft FBC

TASK 3.B-7: Public Presentation (Trip 2)

The Company will prepare for and conduct public presentations over two days to explain the benefits of a FBC and the major components of the Public Review Draft FBC and to facilitate a public discussion. The Company will work closely with City staff to develop and refine outreach materials and collaborate on scheduling this presentation, which may be part of a Planning Commission meeting or a separate meeting in the District.

EXHIBIT A – SCOPE OF WORK AMENDMENT 4

SCOPE OF WORK – 3D Modeling Diagrams for Historic Westside

Background

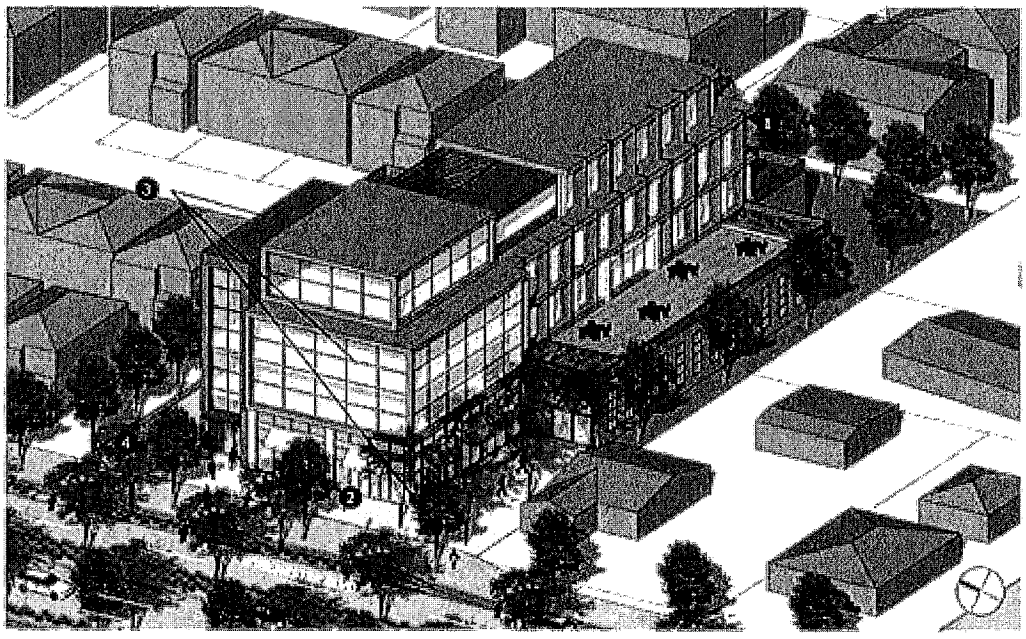
The City has requested 3D Modeling Diagrams of the eastern portion of the Historic Westside District for the area south of Owens Avenue, east of H Street, and north and west of Interstate 15.

This scope of work will be conducted independently of the FBC for the Historic Westside District. Two levels of detail for the 3D Modeling Diagrams are contemplated, supported by some of the renderings and visualizations in the *100 Plan for the Historic Westside Community* prepared by the UNLV Downtown Design Center in May 2016.

Task 1: Vignettes of up to two key intersections

City staff and Company will choose up to two key intersections where fine-grained 3D visualizations will be developed to illustrate, for example, generalized building frontages, streetscape details, and the transitions in form between anticipated transect zones. An example of what could be accomplished is pasted below.

- *Deliverable: Draft and final 3D visualization/vignette of up to two key intersection as a PDF and SketchUp file.*



View

Task 2: Renderings and visualizations from the 100 Westside Plan

A significant amount of work has already been completed to visualize future development in the Historic Westside, and many of the existing illustrations in the 2016 *100 Plan for the Historic Westside Community* can be used to illustrate suggested visions for building form, streetscapes, building frontages, etc. in a lot more detail.

Company Responsibility: Company will participate in up to three teleconferences with City staff to provide technical support and assistance for the selection of the most appropriate illustrations from the 2016 100 Plan for the Historic Westside Community.

- *City Responsibility: Prepare final graphic presentations as needed using the existing illustrations in the* 2016 100 Plan for the Historic Westside Community.

Task 3: Project Coordination and Management

Company will participate in monthly or bi-monthly project coordination calls and ongoing project management tasks such as preparation of invoices and monthly project updates.

EXHIBIT B – PRICING AMENDMENT 4

Historic Westside District Form Base Code - Schedule and Payment Table

Task	Description	Schedule Due*	Amount Allowed
Task 3.B-1	Kick-Off Meeting and Micro-scale Analysis	August 2019	$1,000
Task 3.B-2	2-Day Implementation Workshop (Includes expenses)	Sept. 2019	$24,000
Task 3.B-3	Administrative Draft FBC	October 2019	$30,000
Task 3.B-4	Administrative Draft FBC Review	November 2019	$3,000
Task 3.B-5	Screencheck Draft and Review	Dec. 2019	$2,500
Task 3.B-6	FBC Public Review Draft	Dec. 2019	$5,000
Task 3.B-7	Public Presentation (Trip 2) LW & RE, 2 nights	January 2020	$10,000
		Subtotal	**$75,500**

Schedule and Payment Table – 3D Modeling Diagrams for Historic Westside

Task	Description	Schedule Due*	Amount Allowed
Task 1	Vignettes of up to two key intersections	July 2019	$10,980
Task 2	Visualizations from 100 Westside Plan	July 2019	$1,000
Task 3	Project Coordination and Management	July 2019	$600
		Subtotal	**$12,580**

Additional Services Amount	**$13,700**
Amendment 4 Total Amount	**$101,780.00**

* The schedule due dates may be updated as approved by City.

ATTACHMENT 1 - CERTIFICATE - DISCLOSURE OF OWNERSHIP/PRINCIPALS

1. Definitions

"City" means the City of Las Vegas.

"City Council" means the governing body of the City of Las Vegas.

"Contracting Entity," means the individual, partnership, or corporation seeking to enter into a contract with the City of Las Vegas.

"*Principal*" means, for each type of business organization, the following: (a) sole proprietorship – the owner of the business; (b) corporation – the directors and officers of the corporation; but not any branch managers of offices which are a part of the corporation; (c) partnership – the general partner and limited partners; (d) limited liability company – the managing member as well as all the other members; (e) trust – the trustee and beneficiaries.

2. Policy

In accordance with Resolution 79-99 and 105-99 adopted by the City Council, Contracting Entities seeking to enter into certain contracts with the City of Las Vegas must disclose information regarding ownership interests and principals. Such disclosure generally is required in conjunction with a Request for Proposals (RFP). In other cases, such disclosure must be made prior to the execution of a contract.

3. Instructions

The disclosure required by the Resolutions referenced above shall be made through the completion of this Certificate. The Contracting Entity shall complete Block 1, Block 2, and Block 3. The Contracting Entity shall complete either Block 4 or its alternate in Block 5. Specific information, which must be provided, is highlighted.

4. Incorporation

An updated and notarized Certificate shall be incorporated into the resulting contract, if any, between the City and the Contracting entity. Upon execution of such contract, the Contracting Entity is under a continuing obligation to notify the City in writing of any material changes to the information in this Certificate. This notification shall be made within fifteen (15) days of the change. Failure to notify the City of any material change may result, at the option of the City, in a default termination (in whole or in part) of the contract, and/or a withholding of payments due the Contracting Entity.

Block 1: Contracting Entity	
Name: Lisa Wise Consulting, Inc.	
Address: 983 Osos Street	**City / ST / Zip:** San Luis Obispo, CA 93401
Telephone: 805.595.1345	**EIN or DUNS :** 800-155045
Block 2: Description / Subject Matter of Contract	
Services for: Form Based Code	**Project Number:** 170126-JH

Block 3: **Type of Business**

☐ Individual ☐ Partnership ☐ Limited Liability Company ☒ Corporation ☐ Trust ☐ Other:

CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS (CONTINUED)

Block 4: Disclosure of Ownership and Principals

In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.

	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1	Lisa Wise	983 Osos Street, San Luis Obispo, CA 93401	805.595.1345
2	Henry Pontarelli	983 Osos Street, San Luis Obispo, CA 93401	805.595.1345
3			
4			
5			
6			
7			
8			
9			
10			

The Contracting Entity shall continue the above list on a sheet of paper entitled "Disclosure of Ownership/Principals – Continuation" until full and complete disclosure is made. If continuation sheets are attached, please indicate the number of sheets: n/a

Block 5: Disclosure of Ownership and Principals – Alternate

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this Certificate in lieu of providing the information set forth in Block 4 above. A description of such disclosure documents must be included below.

Name of Attached Document: n/a

Date of Attached Document: _____ Number of Pages: ____

Contracting Party Certification ***(Notarized signature required in event of contract award per section 4, "Incorporation")***

I certify under penalty of perjury, that all the information provided in this Certificate is current, complete and accurate. I further certify that I am an individual authorized to contractually bind the above named Contracting Entity.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA COUNTY OF San Francisco

Subscribed and sworn to (or affirmed) before me on this 27 day of June, 20 19 by Henry Pontarelli

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Subscribed and sworn to before me this _____ day of _____, 20____

(Signature of Notary)

Notary Signature

Signature

06/27/19

Date

CHERYL MERIL
Commission No. 2164310
NOTARY PUBLIC-CALIFORNIA
SAN FRANCISCO COUNTY
My Comm. Expires OCTOBER 6, 2020

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
19

DEPARTMENT: Finance **CONSENT**
DIRECTOR: Venetta Appleyard

SUBJECT:
For possible action to approve award of Contract No. 190335-JH, Blanket Services Agreement for Architectural Consulting Services - Department of Public Works - Award recommended to: GEORGE M. ROGERS CHARTERED dba GEORGE M. ROGERS, ARCHITECT (Not-to-Exceed $150,000 Annually - Various Funds) - All Wards

FISCAL IMPACT:
Budget Funds Available
Amount: $150,000
Funding Source: Various Funds
Dept./Division: Public Works

PURPOSE/BACKGROUND:
This blanket services agreement provides for various projects related to the City's Capital Improvement Program for Architectural consulting services. The agreement term is for one year from date of award with one one-year option to renew. Award of this contract is recommended by the City of Las Vegas consultant selection committee based upon the 2018 Statement of Qualifications process. This item is exempt from the competitive bidding process pursuant to NRS 332.115.1(b), Professional Services. George M. Rogers Chartered dba George M. Rogers, Architect is located in Las Vegas, Nevada.

RECOMMENDATION:
Approve award as recommended with signature authority granted to the Purchasing Manager per R-20-2017.

BACKUP DOCUMENTATION:
1. Contract No. 190335-JH
2. Certificate - Disclosure of Ownership/Principals

BLANKET SERVICES CONTRACT
FOR
ARCHITECTURAL CONSULTING SERVICES

THIS CONTRACT is made and entered into this _____ day of _____, _____, by and between the **CITY OF LAS VEGAS**, a municipal corporation within the State of Nevada (herein the "City") whose address is **333 North Rancho Drive, Las Vegas, Nevada 89106**, and **George M. Rogers Chartered DBA George M. Rogers, Architect**, (the "Consultant"), **a Corporation organized and existing under the laws of the State of Nevada, whose address is 6325 S. Jones, Ste 100, Las Vegas, Nevada 89118**

WITNESSETH:

WHEREAS, the City intends to construct VARIOUS PROJECTS RELATED TO THE CITY'S CAPITAL IMPROVEMENT PROGRAM (herein individually and collectively the "Project" and "Projects," respectively) which may be known or unknown to the City at the time of the execution of this Contract; and

WHEREAS, with respect to each Project, the City desires to retain the Consultant who will be responsible for providing the professional services more fully described below and in the exhibits attached hereto; and

WHEREAS, the Consultant is properly licensed pursuant to NRS Chapter 623, 623A, or 625, whichever is legally required for the services to be provided within the State of Nevada, and if applicable to the Consultant's business organization, is in compliance with NRS 623.349 for architects, interior designers, and residential designers and NRS 623A.250 for landscape architects, which requires that control and no less than two-thirds ownership of the business organization or association be held by persons registered or licensed in the State of Nevada pursuant to NRS Chapters 623, 623A, or 625, and possesses the special knowledge, skills and expertise to perform the services hereinafter set forth within the time required under this Contract; and

WHEREAS, the parties hereto intend with the execution of this Contract to give to the City the flexibility and ability to determine what services are to be provided by the Consultant on a project by project basis through the issuance of a Project Task Order (herein defined in Section 1.01) thereby eliminating the need of executing separate agreements with the Consultant for each Project.

NOW, THEREFORE, in consideration of the above premises, the parties hereto agree to the following terms, conditions and covenants set forth in Sections One through Ten hereof:

SECTION ONE
CONSULTANT RESPONSIBILITIES

1.01 ***Description of Consultant's Services.***

A. ***Definition.*** A "Project Task Order" refers to that document which sets forth the specific services to be provided by the Consultant in connection with a particular Project.

B. ***Issuance.*** If so requested by the City, the Consultant shall assist the City in preparing a Project Task Order setting further the services to be provided in connection with a particular Project. The Project Task Order shall be prepared substantially in conformance with the form attached hereto as Exhibit "H." Each executed Project Task Order shall be attached hereto as Exhibit "H" with the appropriate numerical sequence (e.g., H-1, H-2, H-3, etc.) and shall become a part of this Contract.

C. ***Services.*** For each Project Task Order approved and executed by the City, the Consultant hereby agrees to provide the services set forth therein subject to the terms and conditions of this Contract. For the compensation set forth in Section Seven, the Consultant hereby agrees to perform the basic services set forth in the Scope of Services, **Exhibit "A"** attached thereto and incorporated therein as a part of this Contract and, if so requested, the additional services set forth in the Additional Compensation, **Exhibit "E"** attached thereto and incorporated therein as a part of this Contract and to provide the submittals described in the Required Submittals **Exhibit "B,"** attached thereto.

1.02 ***Performance Standards.*** In performing the services set forth in this Contract, the Consultant shall follow the practices consistent with the generally accepted standards in the profession of the services being provided to the City pursuant to this Contract.

1.03 ***Document Review.*** The Consultant shall review each document prepared by the Consultant and its subconsultants including, without limitation, the plans, drawings and specifications for conformance with quality control requirements, Project standards and

applicable federal, state and local laws and other regulations. Consultant shall also review each document for violations or infringements upon any patent rights.

1.04 ***Waiver.*** The City's approval of any documents or services furnished by the Consultant shall not in any way relieve the Consultant of responsibility for the professional and technical accuracy of its documents or services. The City's review, approval, acceptance or payment for any of the Consultant's services shall not be construed to operate as a waiver of any rights enjoyed by the City under this Contract or of any cause of action arising out of the performance of this Contract. The Consultant shall remain liable for any damages to the City caused by the Consultant's negligent act or omission committed in the performance of this Contract.

1.05 ***Designation of Consultant's Representative.*** The Consultant's representative is the individual identified in the Key Personnel List, **Exhibit "F"** attached hereto (the "Consultant Representative") to act in that capacity, who shall be responsible for the services required under this Contract. The services specified by this Contract and each Project Task Order shall be performed by the personnel identified in the Key Personnel List and by the personnel identified in each Project Task Order provided that such associates and employees perform under the personal supervision of the Consultant Representative.

If any person or subconsultant who is expected to provide any of the services required under this Contract is objectionable to the City for any reason, the Consultant shall, without additional compensation, replace such person or subconsultant with someone acceptable to the City.

If the Consultant's personnel are unable to complete their responsibilities for any reason under this Contract, or the Consultant desires for any reason to substitute personnel assigned to the Project, the Consultant agrees to obtain the approval of the City for the substitution. The City shall not unreasonably deny approval unless the City adjudges the substitution to not be in the interest of the City or the Project.

If the Consultant fails to make an acceptable replacement within thirty (30) days, the City may terminate this Contract for default as provided in Section 10.03 of this Contract.

1.06 ***Correspondence Review.*** The Consultant shall furnish the City Representative draft copies of each correspondence to be sent to any contractor involved with the Project, and to any regulatory agencies, for approval and review prior to mailing such correspondence.

1.07 ***Cooperation with the City.*** The Consultant agrees that its officers, associates, employees and subconsultants will cooperate with the City in providing the services under this Contract and will be, with advance notice, available for consultation with the City at such reasonable times as to not conflict with the City's other responsibilities.

1.08 ***Responsibility for Construction Document Revisions.***

A. ***Applicability.*** The Consultant's responsibility described in this Section applies only if the Consultant is responsible for providing a construction cost estimate and preparing construction documents for the Project.

B. ***Responsibility for Revisions.*** The Consultant does not warrant or represent that the bids or proposed price received by the City to construct the Project will come within the estimate prepared by the Consultant. If the bids or proposed price received by the City exceeds the Consultant's estimate, the Consultant agrees to cooperate with the City in revising the requirements of the Project as required to lower the cost and to change the construction documents. If the changes requested by the City cause an increase in the cost or time required to perform any of the services required under this Contract, the Consultant may submit a request for an Adjustment in Compensation pursuant to Section 3.02.

SECTION TWO
CITY RESPONSIBILITIES

2.01 ***City Representative.*** The Director of Public Works or his authorized representative identified in the Key Personnel List is hereby designated as the City's representative (the "City Representative") with respect to this Contract. The City Representative shall have complete authority to transmit instructions, receive information, interpret and define the City's policies and decisions with respect to the services of the Consultant. The City Representative is not authorized to change or waive any of the provisions set forth in Sections 1.01 through 10.24 of this Contract.

2.02 ***Review of Consultant's Services and Documents.*** The services to be performed by the Consultant shall be subject to periodic review by the City Representative. To prevent an unreasonable delay in the Project, the City Representative will endeavor to examine and comment in writing on the documents furnished by the Consultant including, without limitation, the plans, drawings, specifications, test

results, evaluations, and reports within twenty-one (21) days of receipt of such documents, unless the Contract provides for a different review time with respect to the document.

2.03 ***Access to Records.*** The City shall, without charge, furnish a copy to, or make available for examination or use by, the Consultant, as it may request, any documents and data which the City has available including, without limitation, reports, maps, plans, specifications, surveys, records, ordinances, codes, regulations, and other documents related to the services required under this Contract. The City shall assist the Consultant in obtaining data and documents from public agencies and from private citizens and business firms whenever the City determines that such material is necessary for the completion of the services required by this Contract.

2.04 ***Cooperation with Consultant.*** The City agrees that its officers and employees will cooperate with the Consultant in the performance of this Contract and will be, with advance notice, available for consultation with the Consultant at such reasonable times as to not conflict with the Consultant's other responsibilities. The City shall provide access to the Consultant on to the Project site as may be required to perform the services under this Contract.

SECTION THREE
CHANGES TO CONSULTANT'S SERVICES

3.01 ***Requested Changes.*** The City may at any time, by written order of the City Representative, make a change in the services to be performed by the Consultant under this Contract.

3.02 ***Adjustment of Compensation.*** If the change requested by the City causes an increase or decrease in the cost or time required to perform any of the services required under this Contract, an equitable adjustment shall be made in the compensation to be paid to the Consultant under Section Seven, or in the performance schedule under Section Eight, or both, and this Contract shall be modified in writing accordingly. Each claim for adjustment under this Section must be asserted in writing within thirty (30) days from the date of receipt by the Consultant of written notification of the change, unless the City grants in writing an extension. Provided proper notice has been given to the City as required herein, the claim for an adjustment shall be handled pursuant to the provisions of 10.20B and 10.20C of this Contract. The failure to provide notification of the claim within the time required herein shall constitute a waiver of the right to seek any equitable or legal adjustment in compensation with respect to that change.

SECTION FOUR
ADDITIONAL SERVICES OF CONSULTANT

4.01 ***Additional Services.*** The Consultant shall provide the additional services described in the Additional Compensation if, and only if, so requested in writing by the City. Payment for the additional services will be made to the Consultant in accordance with Section Seven of this Contract.

4.02 ***Attendance at Meetings or Public Hearings.*** The Consultant shall notify the City in advance of any additional costs which may be incurred prior to attending any meetings or public hearings as may be necessary in connection with the services performed by the Consultant under this Contract.

SECTION FIVE
SUBCONSULTANT CONTRACT

5.01 ***Subconsultant Provisions.*** If, with the approval of the City as required pursuant to Section 10.07, the Consultant enters into an contract with a subconsultant for the performance of any of its obligations under this Contract, the Consultant agrees to include in each subconsultant contract a provision that:

(i) the Consultant agrees to pay the subconsultant when paid by the City for that portion of the services provided to the City and that no liability arises on the part of the Consultant for payment of the subconsultant services until payment has been made by the City. If the City has paid the Consultant for the subconsultant services, the subconsultant's only recourse is against the Consultant and not against the City, either through the institution of legal or equitable action or the attachment of any lien,

(ii) the subconsultant shall have no more rights against the City than that of the Consultant,

(iii) the subconsultant agrees to be bound by the terms, conditions and obligation of this Contract unless the City has approved any deviation, change or modification in writing, and

(iv) unless otherwise approved in writing by the City Representative, the subconsultant shall obtain and maintain professional liability insurance (Errors and Omissions coverage) in connection with the subconsultant services in an amount equal to that required of the Consultant in this Contract.

SECTION SIX
TERM OF CONTRACT

6.01 ***Term.*** This Contract shall commence on the day it is approved by the City (which date shall be inserted in the introductory paragraph of this Contract) and shall remain in force and effect for ONE YEAR unless terminated earlier pursuant to Section 10.02 or 10.03 of this Contract. Such termination shall not release either party from any of its continuing obligations under this Contract. The City reserves the right to exercise an option to temporarily extend this Contract for up to thirty (30) calendar days from the expiration date, for any reason.

6.02 ***Task Orders.*** Task Orders executed during the term of this Contract shall remain in force under the terms of this Contract until the responsibilities for each Task Order are completed, even if this Contract is no longer in effect.

6.03 ***Disputes.*** This Section shall not be construed to preclude the filing of any dispute arising out of the performance of this Contract or in connection with the subject matter hereof, nor shall this Section be construed to change the date or the time on which a cause of action arising out of the performance of this Contract or in connection with the subject matter hereof, would otherwise accrue under the statutes of limitation or doctrines of law.

6.04 ***Renewals.*** The City may, at its sole option, extend the term of this Contract for up to ONE ONE-YEAR RENEWAL PERIOD beyond the initial term in 6.01. The City shall provide written notice to the Consultant of such extension, and the Consultant may not assume an automatic renewal. Exercise of a renewal option does not commit the City to exercise further options. Renewal option periods shall be executed under the same terms as this Contract unless the parties agree otherwise. Upon the exercise of a renewal option, the Total Not to Exceed Fee shall renew for the same amount as this Contract and expire any unused Not to Exceed Fee from the previous contract or renewal option.

SECTION SEVEN
COMPENSATION AND TERMS OF PAYMENT

7.01 ***Compensation: Basic Services.*** For the services to be performed by the Consultant under this Contract and set forth in the Scope of Services, the City agrees to pay the Consultant on the basis of Consultant's direct salary, times a Multiplier, as defined in Section 7.02 plus City approved reimbursable expenses identified in Section 7.04. In no event shall the fee exceed the fee identified in the Fee Breakdown, **Exhibit "D"** and direct salary rates, **Exhibit "E,"** attached hereto, pursuant to invoices submitted in accordance with Section 7.05 of this Contract.

7.02 ***Multiplier.*** Exhibit D, Article 401.1 provides the multiplier is established for this contract. The multiplier includes costs associated with, but not be limited to: overhead, general and administrative costs, profit, vehicles, printing, and travel, unless directly identified as reimbursable per Contract Section 7.04 and Exhibit E. Documentation used to establish this multiplier is considered part of the project records and shall be maintained in accordance with Section 9.01.

7.03 ***Compensation: Additional Services.*** For any services not set forth in the Scope of Services, the City shall pay to the Consultant on the basis of Consultant's direct salary, times the multiplier set forth in Exhibit D in accordance with Exhibit E, provided prior written approval for such services is given by the City Representative.

7.04 ***Compensation: Reimbursable Expenses.*** Direct reimbursable expenses incurred by the Consultant for work performed under this Contract eligible for reimbursement include subconsultant or subcontractor services (provided the Owner has authorized, in writing, said services) and additional line items specified in Exhibit E. The Consultant agrees that all of its authorized reimbursable expenses associated with the performance of this Contract shall be billed at the actual cost incurred by the Consultant without mark-up of any kind.

7.05 ***Payment Invoicing.*** The Consultant shall submit an invoice for payment for the services provided by the Consultant based on the manner or method of payment set forth in Exhibit A, Article 101 (Preliminary and General Items and Exhibit D (Fee Breakdown).

The City Representative will notify the Consultant of any problems regarding the invoice within fourteen (14) days from receipt thereof. If no response is received from the City Representative within the aforementioned period of time, the Consultant may expect payment within a

period of (60) days from the date of receipt by the City. If payment has not been received within the sixty (60) days, the Consultant agrees to contact the City Representative to resolve the problem causing the delay. If resolution of the delay is not satisfactory to the Consultant, the Consultant may submit a claim pursuant to Section 10.20A of this Contract.

7.06 ***Right to Off-Set.*** The City Representative may subtract or offset from any unpaid invoice from the Consultant any claims, which the City may incurred have for failure of the Consultant to comply with the terms, conditions or covenants of this Contract, or any damages, costs and expenses caused by, resulting from, or arising out of the negligent act or omission of the Consultant in the performance of the services under this Contract including, without limitation, any error or deficiency in the report or other documents prepared by the Consultant. Within seven (7) days, the City Representative shall provide a written statement to the Consultant of the off-set which has been subtracted from any payment to the Consultant along with appropriate documentation and receipts, if any, and a description of the failure, error or deficiency attributed to the Consultant. The Consultant may dispute the right or amount of the off-set made by the City by providing written notification to the City within fourteen (14) days after receipt of the City's written notice. The City Representative shall provide a written response to the Consultant within seven (7) days of receipt of the Consultant's written dispute notice. If the Consultant disputes the City Representative's determination, the Consultant may file a claim pursuant to Section 10.20 of this Contract.

7.07 ***Final Payment.*** Upon completion of the services required under this Contract, and acceptance thereof by the City (which acceptance will not be unreasonably withheld), the Consultant will, within sixty (60) days of the City's acceptance, be paid the balance of any money due for such services.

SECTION EIGHT
PERFORMANCE SCHEDULE

8.01 ***Performance Schedule.*** The Consultant shall perform and complete the services required under this Contract according to the schedule (the "Performance Schedule") set forth in the Schedule of Performance, **Exhibit "C"** attached hereto. If the performance of services is delayed or submittals are not delivered in the time period as outlined in the Performance Schedule, the Consultant shall notify the City Representative in writing of the reasons for the delay and include a plan which brings the Consultant's performance into compliance with the Performance Schedule.

SECTION NINE
AUDIT: ACCESS TO RECORDS

9.01 ***Records.*** The City shall have the right to audit the Consultant's books, records and other documents directly pertinent to the performance of this Contract. The Consultant agrees to maintain books, records and other documents directly pertinent to performance of this Contract in accordance with generally accepted accounting principles and practices. The Consultant shall also maintain the financial information and data used to prepare or support the invoices submitted to the City. Audits conducted pursuant to this provision shall be in accordance with generally accepted auditing standards, procedures and guidelines of the City, or its designated representative. The City, or its duly authorized representatives, shall have access to such books, records, and documents for the purpose of inspection, audit and copying. The Consultant will provide proper facilities for such access and inspection.

9.02 ***Disclosure.*** The Consultant shall be afforded the opportunity for an audit entrance and exit conference and an opportunity to comment and submit any supporting documentation on the pertinent portions of the draft audit report, and that the final audit report will include the written comments, if any, of the Consultant.

9.03 ***Period of Maintenance.*** The books, records and other documents under Sections 9.01 and 9.02 of this Contract shall be maintained for six (6) years after the date of the final payment for the services under this Contract. In addition, those records and other documents which relate to any arbitration, litigation or the settlement of any claim arising out of this Contract, or to which an audit exception has been taken, shall be maintained and made available until three (3) years after the date that the arbitration, litigation or exception has been resolved.

9.04 ***Subcontract Provisions.*** The Consultant agrees to include Sections 9.01 through 9.03 of this Contract in all its subcontracts directly related to performance of services specified in this Contract which are in excess of $10,000.

SECTION TEN
MISCELLANEOUS PROVISIONS

10.01 ***Suspension.*** The City may suspend, without cause, the performance by the Consultant under this Contract for such period of time as the City, in its sole discretion, may prescribe by providing written notice to the Consultant. The suspension shall be effective as of the

date set forth in the written notice. With such suspension, the City agrees to pay to the Consultant the amount of compensation, based on work performed and accepted by the City, earned as of the effective date of suspension less all previous payments. The Consultant shall not provide any further services under this Contract after the effective date of suspension until otherwise notified in writing by the City. In no event shall the City be liable to the Consultant for services in excess of the actual hourly wages or reimbursable costs directly related to execution of the Contract at the time of suspension.

10.02 If, after notice to resume performance has been given by the City, the suspension was for a period in excess of ninety (90) days, which has resulted in an increase in the performance of this Contract to the Consultant and:

(i) the Consultant was not a contributing cause for the suspension,

(ii) the Consultant has not received an equitable adjustment under another provision of this Contract, and

(iii) the Consultant could not mitigate the increase in the performance cost,

then the Consultant's fee shall be reviewed by the City and, if justified, equitably adjusted to provide for any additional expenses resulting from the suspension.

10.03 ***Termination for Convenience.*** The City reserves the right to terminate this Contract without cause or default on the part of the Consultant with ten (10) days' prior written notification to the Consultant served pursuant to Section 10.18 of this Contract. In the event of termination, without cause or default, the City agrees to pay to the Consultant the reasonable value for the services performed as of the date that notification of termination is received by the Consultant. In no event shall the City be liable to the Consultant for services in excess of the percentage completed at the time of termination.

10.04 ***Termination for Cause or Other Resolution.***

A. ***Default.*** The occurrence of any of the following events shall constitute a default by the Consultant hereunder (herein "Event of Default"). If, during the term of this Contract, the Consultant:

(i) defaults in the due observance and performance of any term, condition or covenant contained in this Contract,

(ii) (a) voluntarily terminates operations or consent to the appointment of a receiver, trustee or liquidator of the Consultant for all or a substantial portion of its assets, (b) is adjudicated bankrupt or insolvent or files a voluntary petition in bankruptcy, or admits in writing to the inability to pay its debts as they become due, (c) make a general assignment for the benefit of creditors, (d) file a petition or answer seeking reorganization or an arrangement with creditors or take advantage of any insolvency law, or (e) if action shall be taken by the Consultant for the purpose of effecting any of the foregoing,

(iii) allows any warrant, execution or other writ to be issued or levied upon any property or assets of the Consultant which continues unvacated and in effect for a period of thirty (30) days, or

(iv) fails, in the judgment of the City, to provide the services hereunder properly and with proper dispatch in accordance with the time schedule set forth in this Contract,

and the default continues five (5) days after written notice is given to the Consultant pursuant to Section 10.18.

B. ***City's Rights.*** Upon the occurrence of an Event of Default, and without prejudice to any other right or remedy it may have at law or equity, the City may:

(i) terminate this Contract, suspend payment of all pending invoices otherwise due to the Consultant hereunder, and finish this Contract by such means as deemed appropriate by the City, reserving the right to deduct from any balance due Consultant the cost of completing this Contract. In the event the cost of finishing the Consultant's performance of this Contract exceeds the balance due the Consultant, the excess shall be paid by the Consultant to the City within thirty (30) days of invoicing by the City,

(ii) terminate this Contract, and the obligations imposed hereunder, including the obligation of any further payment for the services of the Consultant except for the reasonable value for the services performed to the date of termination, or

(iii) continue with performance by the Consultant and serve within a reasonable time after completion of this Contract a notice of claim or dispute pursuant to the procedure set forth in Section 10.20.

In the event that the City elects to implement (i) above, the costs and expenses of completing this Contract shall be computed and audited by the City's designated representative. The audit shall be conducted in accordance with generally accepted accounting principles and the cost thereof shall be paid by the City.

10.05 *Ownership of Documents.*

A. ***Architectural Works.*** The Consultant agrees that all documents of any kind whatsoever, and in whatever medium expressed, prepared by the Consultant and the Consultant's subconsultants in connection with the Project or otherwise pursuant to this Contract (collectively, the "Documents") and all rights therein (including without limitation trademarks, trade names, rights or use and reuse, copyrights and/or all other proprietary rights) shall be and remain the sole property of the City (regardless of whether the City or Consultant terminates this Contract for any reason whatsoever). The Consultant hereby agrees that the Documents are or shall be deemed to be "Works for Hire" within the meaning of Section 101 of the Copyright Act, and the Consultant hereby assigns to the City all right, title, and interest therein. If for any reason the Documents should not be considered a "Work for Hire" under applicable law by a court or other tribunal of competent jurisdiction, then it is mutually agreed that that under this Section 10.04, the Consultant shall hereby be deemed to have transferred to the City, its successors and assigns, the Consultant's entire right, title and interest in and to the Documents and the legal rights therein including, but not limited to, copyright, included therein.

The Consultant further agrees that neither it nor any of its employees shall exercise any of the rights embodied in the copyrights in or to such Documents, unless authorized to do so by the City under the terms of a separate written agreement executed by the Consultant and the City. The Consultant shall place a conspicuous notation upon each such Document that indicates that the copyright thereto is owned by the City.

City agrees to waive any and all claims against the Consultant and to defend, indemnify, and hold the Consultant harmless from and against any and all claims, losses, liabilities and damages arising out of or resulting from the City's use, reuse, or alteration by any new consultant or other agent of the City, of the Documents. The Consultant shall be entitled to retain a reproducible copy of the Documents furnished to the City; however, the Consultant shall not sell, license, or otherwise market the Documents in any way.

B. ***Delivery of Documents.***

(i) In the event of the completion of this Contract and upon the City's payment in the services rendered by the Consultant, the City shall have the right to require delivery of any and all of the plans, drawings, specifications, and all other documents (including, without limitation, design concepts and sketches, test results, evaluations, reports and studies), including the magnetic or electronic media of the aforementioned documents, not in the possession of the City.

(ii) In the event of the suspension or termination of this Contract, the Consultant shall have the right to invoice the City to request full payment for all services performed or furnished in accordance with this Contract through the suspension or termination date. Any dispute regarding the amount of any payment to be made by the City under this Contract shall not diminish, restrict or limit the right of the City to promptly receive delivery of any and all plans, drawings, specification, and all other documents (including without limitation, design concepts and sketches, test results, evaluations, reports and studies), including the magnetic or electronic media of the aforementioned documents, not in possession of the City. The Consultant may file a claim pursuant to Section 10.20 of this Contract for any disputed payment claims.

C. ***Confidentiality.*** The plans, drawings, specifications and other documents (including, without limitation, design concepts and sketches, test results, evaluations, reports and studies) (including the magnetic or electronic media of the aforementioned documents) which are prepared or assembled by the Consultant, or its subconsultants, under this Contract shall not be made available to any individual or organization without the prior written consent of the City. Except for marketing pamphlets and submittals to clients, the Consultant shall not publish, submit for publication, or publicly display the Project without the written consent of the City. The obligations of confidentiality shall survive the termination of this Contract.

D. ***Contractual Rights.*** Notwithstanding the provisions of 10.04 A above, the City is hereby licensed to use all design concepts developed by the Consultant and subconsultants under this Contract, including the right to construct derivative works of the Project, and to use the design concepts for other projects of the City. Provided, that however, none of the documents or materials are intended or represented by Consultant to be suitable for reuse by the City, or others on extension of the project or on any other project. Any reuse without written verification or adaptation by Consultant for the specific purpose intended will be at City's sole risk and without liability or legal exposure to Consultant. The City agrees to indemnify, defend and hold harmless Consultant for any claims related to the City's or City's authorized use of the design concepts

developed by the Consultant. The design concepts include, but are not limited to, the form, aesthetic appeal, site layout, the arrangement and composition of spaces and elements, the use of colors and materials, system designs, construction methods and interior design.

10.06 ***Insurance.*** The Consultant shall procure and maintain, at its own expense, during the entire term of this Contract, the following insurances:

A. ***Worker's Compensation Insurance.*** This Insurance shall protect the Consultant and the City from employee claims based on job-related sickness, disease, or accident.

B. ***Commercial General Liability Insurance.*** This insurance shall protect the Consultant, its agents and vehicles used to provide the services required under this Contract from claims of personal injury (including death) and property damage. Such coverage shall be in a minimum amount of $1,000,000 combined single limit for the period of time covered by this Contract. The Consultant's general liability insurance policies shall be endorsed to include the City as an additional insured. Any deductible or self-insured retention under the commercial general liability policy will be the sole responsibility of the Consultant and may not exceed $100,000 without the written approval of the City. If the Consultant desires authority from the City to have a deductible in a higher amount, the Consultant shall so request in writing, specifying the amount of the desired deductible and making available for review the most current audited financial statements so that the City can ascertain the ability of the Consultant to cover the deductible from its own resources.

C. ***Commercial Automobile Liability Insurance.*** This insurance shall protect the Consultant from claims of limits no less than $1,000,000 combined single limit per occurrence for bodily injury and property damage to include, but not be limited to, coverage against all insurance claims for injuries to persons or damages to property which may arise from services rendered by Company and any auto used to the performance of services under this Contract. The policy must insure all vehicles owned by the Company and include coverage for hired and non-owned vehicles. The Consultant's automobile liability insurance policies shall be endorsed to include the City as an additional insured. Any deductible or self-insured retention under the commercial automobile liability policy will be the sole responsibility of the Consultant and may not exceed $100,000 without the written approval of the City. If the Consultant desires authority from the City to have a deductible in a higher amount, the Consultant shall so request in writing, specifying the amount of the desired deductible and making available for review the most current audited financial statements so that the City can ascertain the ability of the Consultant to cover the deductible from its own resources.

D. ***Professional Liability Insurance (Errors and Omissions Coverage).*** This insurance shall protect the Consultant from claims arising out of performance of professional services caused by a negligent act, error, or omission for which the insured is legally liable. Such coverage shall be in a minimum amount of $1,000,000 for the period of time covered by this Contract. Any deductible or self-insured retention under the professional liability insurance policy will be the sole responsibility of the Consultant and may not exceed $100,000 without the written approval of the City. If the Consultant desires authority from the City to have a deductible in a higher amount, the Consultant shall so request in writing, specifying the amount of the desired deductible and making available for review the most current audited financial statements so that the City can ascertain the ability of the Consultant to cover the deductible from its own resources.

E. ***Cancellation or Modification of Coverage.*** The Consultant's Commercial General Liability Insurance Policies shall automatically include or be endorsed to cover the Consultant's contractual liability to the City under this Contract, and with respect to its Commercial General Liability Policy, to waive subrogation against the City, its officers employees and agents. The policies shall provide that the City will be given thirty (30) days' notice in writing of any cancellation of, or material change in, the policies.

F. ***Period of Coverage.*** If the insurance coverage is underwritten on a "claims made" basis, the retroactive date shall be prior to or coincident with the date of this Contract and the Certificate of Insurance shall state that coverage is "claims made" and the retroactive date. The Consultant shall maintain all insurance coverages specified in Section 10.05 for the duration of this Contract. Claims made Insurance (Professional Liability-10.05 D) shall be kept in place after construction of the Project is substantially complete until the "Statute of Repose" in the State of Nevada has expired. In the event if a claims made policy has a lapse or cancellation of coverage before the Statute of Repose has expired, the Consultant shall be responsible for any claim made in the absence of valid collectable insurance.

G. ***Certificates of Insurance.*** Consultant must provide compliant certificates of insurance and required endorsements to the City or its designated certificate tracking service immediately upon request. The Consultant shall maintain coverage for the duration of this Contract, and any renewal periods if applicable. The Consultant shall annually provide the City's designated certificate tracking service with a certificate of insurance and endorsements as evidence that all insurance requirements have been met. A certified, true and exact copy of each of the project specific insurance policies (including renewal policies) required under this Section shall be provided to the City or it's designated certificate tracking service if so requested.

All required aggregate limits must be disclosed and amounts entered on the certificate(s) of insurance. The certificates must identify the Contract number and the Contract description. The Company and/or insurance carrier shall provide the City with a 30-day advance notice of policy modification, cancellation or erosion of insurance limits, sent by certified mail "return receipt requested".

The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer and licensed by the State of Nevada. All deductibles and self-insured retentions shall be fully disclosed in the Certificate of Insurance.

10.07 ***Indemnity.***

A. ***Claims Not Based Upon or Arising out of Professional Services.*** Notwithstanding any of the insurance requirements set forth in Section 10.05, and not in lieu thereof, the Consultant shall defend, indemnify, and hold the City, its Mayor, Councilmen, officers, employees, and agents (herein the "Indemnities"), harmless from any and all claims (including, without limitation, patent infringement, and copyright claims), damages, losses, expenses, suits, actions, decrees, judgments, arbitration awards, or any other form of liability (including, without limitation, reasonable attorney fees and court costs) (collectively herein the "Claims") to the extent that such Claims are caused by the negligence, errors, omissions, recklessness, or intentional misconduct of the Consultant, its employees, subcontractors, agents, or anyone employed by the Consultant's subcontractors or agents (herein the "Consultant Parties"), which are not based upon or arising out of the professional services performed by the Consultant Parties in the performance of this Contract.
As part of its obligation hereunder, the Consultant shall, at its own expense, defend the Indemnitees against the Claims brought against them, or any of them, which is caused by the negligence, errors, omissions, recklessness, or intentional misconduct of the Consultant, its employees, subcontractors, or agents, for and against which the Consultant is obligated to indemnify the Indemnitees pursuant to this Section, unless the Indemnitees, or any of them elect to conduct their own defense which, in such case, shall not relieve the Consultant of its obligation of indemnification set forth herein. If the Consultant or the Consultant's insurer fails to defend the Indemnities as required herein, the Indemnitees shall have the right, but not the obligation, to defend the same and, if the Consultant is adjudicated by the trier of fact to be liable, the Consultant agrees to pay the direct and incidental costs of such defense (including reasonable attorney fees and court costs) which is proportionate to the liability of the Consultant.

B. ***Claims Based Upon or Arising out of Professional Services.*** Notwithstanding any of the insurance requirements set forth in Section 10.05, and not in lieu thereof, the Consultant shall indemnify and hold the Indemnities, harmless from any and all claims (including, without limitation, patent infringement and copyright claims), damages, losses, expenses, suits, actions, decrees, judgments, arbitration awards, or any other form of liability (including, without limitation, reasonable attorney fees and court costs) (collectively herein the "Professional Liability Claims") to the extent that such Professional Liability Claims are caused by the negligence, errors, omissions, recklessness, or intentional misconduct of the Consultant Parties, which are based upon or arising out of the professional services performed by the Consultant Parties in the performance of this Contract.

If the Consultant Parties are adjudicated to be liable by a trier of fact, the trier of fact shall award reasonable attorney's fees and costs to be paid by the Consultant to the Owner, as reimbursement for the attorney's fees and costs incurred by the Owner in defending the Professional Liability Claims, in an amount proportionate to the liability of the Consultant.

As used in this Section 10.06, "agents" means those persons who are directly involved in and acting on behalf of the City or the Consultant, as applicable, in furtherance of the contract or the public work to which the Contract pertains.

10.08 ***Assignment.*** The City and the Consultant each bind itself and its partners, successors, administrators and assigns to the other party of this Contract and to the partners, successors, executors, administrators and assigns of such other party in respect to all covenants of this Contract, except the Consultant shall not assign, sublet or transfer any obligation or benefit under this Contract without the written consent of the City. Nothing contained herein shall be construed as creating any personal liability on the part of any officer or agent of the City.

10.09 ***Waiver.*** No consent or waiver, express or implied, by either party to this Contract, or of any breach or default by the other in the performance of any obligations hereunder, shall be deemed or construed to be a consent or waiver of any other breach or default by such party hereunder. Failure on the part of any party hereto to complain of any act, or failure to act of the other party, or to declare that other party in default hereunder, irrespective of how long such failure continues, shall not constitute a waiver of the rights of such party hereunder. Inspection, payment, or tentative approval or acceptance by the City or the failure of the City to perform any inspection hereunder, shall not constitute a final acceptance of the work or any part thereof and shall not release the Consultant of any of its obligations hereunder.

10.10 ***Consultant Warranties.*** The Consultant hereby represents and warrants that:

(i) it is financially solvent, able to pay its debts as they mature, and is possessed of sufficient working capital to complete this Contract; that it is experienced, competent, qualified and able to furnish the plant, tools, materials, supplies, equipment and labor which is used to perform the services contemplated by this Contract, and that it is authorized to do business in the City of Las Vegas and the State of Nevada,

(ii) it holds a license, permit or other special license to perform the services included in this Contract, as required by law, or employs or works under the general supervision of the holder of such license, permit or special license,

(iii) its computer hardware, software, and firmware will continue functioning without interruption, and will continue to accurately process date, time, and data necessary to the performance of this Contract, and

(iv) it has, pursuant to the requirements of Resolution 79-99 adopted by the City Council on August 4, 1999, (effective October 1, 1999), as amended by resolution 105-99 (adopted by the City Council on November 17, 1999), disclosed on the form attached hereto as **Exhibit "G"** (Disclosure of Ownership/Principals) all of the principals, including partners, of the Consultant, as well as all persons and entities holding more than a one percent (1%) interest in the Consultant or any principals of the Consultant. If the Consultant, or its principals or partners, are required to provide disclosure under federal law (such as Securities and Exchange Commission or the Employee Retirement Income Act) and current copies of such federal disclosures are attached to **Exhibit "G,"** the requirements of this Section shall be deemed satisfied. During the term of this Contract, the Consultant shall notify the City in writing of any material change in the above disclosure on **Exhibit "G"** within fifteen (15) days of such change.

10.11 ***Consultant's Employees.*** The Consultant shall be responsible for maintaining satisfactory standards of competency, conduct and integrity, of personnel assigned to the Project, and shall be responsible for taking such disciplinary action with respect to such personnel as may be necessary. In the event the Consultant fails to remove any employee from the work of this Contract whom the City deems incompetent, careless or insubordinate, or whose continued employment on the work is deemed by the City to be contrary to the public interest, the City reserves the right to require such removal as a condition for the continuation of this Contract.

10.12 ***Independent Contractor.*** It is hereby expressly agreed and understood that in the performance of the services required herein, the Consultant and any other person employed by him hereunder shall be deemed to be an independent contractor and not an agent or employee of the City.

10.13 ***Applicable Law.*** This Contract shall be construed and interpreted in accordance with the laws of the State of Nevada.

10.14 ***Compliance with Laws.*** The Consultant shall in the performance of its obligations hereunder comply with all applicable laws, rules and regulations of all governmental authorities having jurisdiction over the performance of this Contract including, without limitation, the Federal Occupational Health and Safety Act and all state and federal laws prohibiting and/or related to discrimination by reason of race, sex, age, religion or national origin.

10.15 ***Certification – No Israel Boycott.*** By signing this Contract, Company certifies that, at the time of Contract signature, it is not engaged in, and agrees for the duration of the Contract, not to engage in a boycott of the State of Israel.

"Boycott of Israel" means, refusing to deal or conduct business with, abstaining from dealing or conducting business with, terminating business or business activities with or performing any other action that is intended to limit commercial relations with Israel; or a person or entity doing business in Israel or in territories controlled by Israel, if such an action is taken in a manner that discriminates on the basis of nationality, national origin or religion. It does not include an action which is based on a bona fide business or economic reason; is taken pursuant to a boycott against a public entity of Israel if the boycott is applied in a nondiscriminatory manner; or is taken in compliance with or adherence to calls for a boycott of Israel if that action is authorized in 50 U.S.C. § 4607 or any other federal or state law.

10.16 ***Severability.*** In the event that any provisions of this Contract shall be held to be invalid or unenforceable, the remaining provisions of this Contract shall remain valid and binding on the parties hereto.

10.17 ***Confidentiality.*** The Consultant shall treat the information relating to the Project, which has been produced by the Consultant or provided by the City, as confidential and proprietary information of the City and shall not permit its release to other parties or make any public announcement or publicity release without the City's written authorization. The Consultant shall also require each subconsultant to comply with this requirement. The submission or distribution of documents to meet official regulatory requirements or for similar purposes in connection with the Project is not to be construed as publication relieving the Consultant of its confidentiality obligation imposed herein.

10.18 ***Site Inspection.*** The Consultant represents that, prior to executing each Project Task Order, it has visited the location of the Project and has satisfied itself as to the general condition thereof and that the Consultant's compensation as provided for in this Contract is just and reasonable compensation for performance hereunder including reasonably foreseen and foreseeable risks, hazards and difficulties in connection therewith based on such above-ground observations.

10.19 ***Modification.*** All modification, amendments, and change orders to this Contract are null and void unless reduced in writing and signed by the parties hereto.

10.20 ***Notice.*** Any written notice required to be given under Sections 1.01 through 10.24 of this Contract shall be deemed to have been given when the written notice is (i) received by the party to whom it is directed by personal service or (ii) deposited with the United States Postal Service, postage prepaid, addressed to the City Representative or the Consultant Representative, whomever is the proper recipient, and mailed to the address set forth in the introductory paragraph to this Contract.

10.21 ***Prohibition Against Contingent Fees.*** The Consultant warrants that no person or entity has been employed or retained to solicit or secure this Contract with the contract or understanding that a commission, percentage, brokerage or contingent fee would be paid to that person. For breach or violation of this provision, the City shall have the right to annul this Contract without liability or, in its discretion, to deduct from the compensation to be paid to the Consultant, or otherwise recover, the full amount of such commission, percentage, brokerage or contingent fee.

10.22 ***Claim or Dispute Resolution.***

A. ***Notice of Claim or Dispute.*** For each claim or dispute which the Consultant has against or with the City (except for any claim for an equitable adjustment under Section 3.02 which is subject to the 30-day limitation set forth therein), notice thereof must be submitted in writing to the City Representative within a reasonable time after the claim or dispute arises, but no later than thirty (30) days after final payment is made to the Consultant. The purpose of written notification is to place the City on notice so that proper measures can be taken to properly defend against the claim or dispute, and the failure to give such notice shall preclude the Consultant from subsequently mediating that particular claim or dispute pursuant to Section 10.20C of this Contract, and the Consultant shall have no further recourse against the City. Pending a final decision on the claim or dispute under Sections 10.20B or 10.20C, the Consultant shall proceed diligently with the performance of this Contract.

B. ***Resolution by Management.*** The City Representative and the Consultant Representative shall meet within a reasonable time after receipt of the written notice received pursuant to Section 10.20A in an attempt to resolve the claim or dispute to the mutual satisfaction of the parties. If the matter is not disposed of by mutual contract between the City Representative and the Consultant Representative, the claim or dispute shall be decided by the Director of Public Works, whose decision shall be reduced to writing and mailed or otherwise furnished to the Consultant. The decision of the Director of Public Works shall be final and conclusive unless, within thirty (30) days after the date on which the Consultant receives its copy of such decision, the Consultant mails or otherwise furnishes to the Director of Public Works a written request to mediate the claim or dispute, in which event the parties shall proceed pursuant to provisions of Section 10.20C. The failure to make such request shall preclude the Consultant from proceeding any further on the claim or dispute, and the Consultant shall have no further recourse against the City.

C. ***Resolution by Mediation.*** Upon receipt of the request to mediate authorized pursuant Section 10.03B or Section 10.20B, the City and the Consultant shall come to an contract as to the appointment of a mediator for purposes of hearing the appeal. If the parties cannot agree upon an independent private mediator within 45 days after notice of the receipt of the request to mediate, the party may proceed to file a judicial action with the Eighth Judicial District Court, Clark County, Nevada. The mediation shall take place in Clark County, Nevada, unless otherwise agreed to by the parties. The fees and expenses of the mediator shall be equally shared by both parties. Each party is responsible for their own costs, expenses, consultant fees and attorney fees incurred in the presentation or defense of any claim, dispute or controversy that is subject to mediation between the parties. The decision of the mediator shall be non-binding.

D. ***Right of Judicial Action.*** Any claim, dispute, or other matter in question between the parties concerning any provisions of this Contract that cannot otherwise be resolved between the parties through the use of mediation required herein may be submitted for judicial action. Prior to the exercise of this right, the party seeking judicial relief shall have provided the other party 30 days prior written notice before filing such judicial action.

10.23 ***Attorney Fees.*** The City or the Consultant as the prevailing party that brought any litigation or arbitration to enforce the provisions of this Contract shall be entitled to reasonable attorney fees and court costs.

10.24 ***Calendar Day.*** All references in this Contract to days are to calendar days unless otherwise indicated.

10.25 ***Exhibits.*** All exhibits referenced in this Contract are hereby incorporated by this reference as a part of this Contract. Any conflict between the provisions of this Contract and the Exhibits incorporated herein shall be governed by the provisions of this Contract.

10.23 ***Counterparts; Electronic Delivery.*** This Contract may be executed in any number of counterparts, each of which shall be an original and all of which shall together constitute one and the same instrument. It shall not be necessary for any counterpart to bear the

signature of all parties hereto. Executed copies hereof may be delivered by facsimile or e-mail, pursuant to NRS 719.240, and upon receipt will be deemed originals and binding upon the parties hereto, regardless of whether originals are delivered thereafter.

10.24 ***Contract Version.*** This document reflects the current standard provisions for the City's Professional Services Contract updated as of December 2018.

IN WITNESS WHEREOF, the parties have caused this Contract to be executed the day and year first above written.

CITY OF LAS VEGAS

By_____
Edward O'Neal, Manager, Purchasing & Contracts

ATTEST

_____
LuAnn D. Holmes, MMC Date
City Clerk

APPROVED AS TO FORM

John S. Ridilla 6/26/19
Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

CONSULTANT – George M. Rogers, Chartered dba George M. Rogers, Architect

By_____
George M. Rogers, President

LIST OF EXHIBITS

Any conflicts between the proceeding Contract and the following Exhibits shall be governed by the Contract.

EXHIBIT " A " SCOPE OF SERVICES

EXHIBIT " B " REQUIRED SUBMITTALS

EXHIBIT " C " PERFORMANCE SCHEDULE

EXHIBIT " D " FEE BREAKDOWN

EXHIBIT " E " COMPENSATION

EXHIBIT " F " KEY PERSONNEL LIST

EXHIBIT " G " CERTIFICATE OF DISCLOSURE

EXHIBIT " H " PROJECT TASK ORDER

EXHIBIT "A"

SCOPE OF SERVICES

ARTICLE 100: GENERAL

100.1 The Scope of Services for this Contract shall be as set forth in each subsequently executed Project Task Order, the format of which is attached hereto as Exhibit "H".

100.2 If increased scope or workload is encountered, the Consultant is to notify the City in writing and receive written confirmation to proceed prior to the performance of any work related to the increased scope or workload.

100.3 The Scope of Services included in each Project Task Order may include any professional services that the Consultant is capable of providing in support of the City's Capital Improvement Program including, but not limited, to the following services:
Architectural Consulting Services.

100.4 The Consultant agrees to include In all its subcontracts related to the Project, and require the same of all sub-subconsultant contracts at all tiers, the provisions of this Contract related to the City's and Consultant's rights (including copyright), ownership and uses of the concepts, designs, documents, intellectual property, and tangible property.

100.5 Should any portions of the Project contain works provided protection under the Visual Artists Rights Act of 1990 ("VARA"), the Consultant and his subconsultants at all tiers agree to waive and do hereby waive voluntarily all rights to attribution and integrity with respect to any and all claims as may arise under VARA, Nevada Revised Statutes "Works of Art" NRS 597, or any other local, state, foreign, or international law, as currently drafted or as may be hereafter amended, that conveys the same or similar moral rights with respect to any or all portions of the Project, including but not limited to display, removal from display, exhibition, installation, restoration, conservation, storage, study, alteration, destruction, relocation, and any other activities conducted by the City, its officers, employees, agents, contractors, licensees, successors or assigns. The Consultant acknowledges that all such decisions concerning the Project shall be made in the sole discretion of the City, its officers, employees, agents, contractors, licensees, successors or assigns. In addition to the extent such rights may not be waived, Consultant and his subconsultants at all tiers covenant not to assert such rights against the City, its officers, employees, agents, contractors, licensees, successors or assigns.

100.6 Project Management Software. Upon City request, Consultant shall utilize the City's online project management software (MasterWorks) as the primary means of communication with the City for this Project including, but not limited to, correspondence, contract changes, claims, reports, schedules, invoices, photos, drawing and specification submittals, and construction administration.

100.6.1 The City shall provide:

100.6.1.1 A limited training manual for the MasterWorks software and a maximum of two hours of MasterWorks software training for up to four people at the City's offices.

100.6.1.2 The cost of any software licenses required by the MasterWorks software manufacturer or distributor.

100.6.1.3 User accounts for Consultant's access to the MasterWorks software.

100.6.2 The Consultant shall provide:

100.6.2.1 Training of Consultant personnel required to utilize the MasterWorks software, except as provided by the City above.

100.6.2.2 Information using the forms, screen views, and information fields provided in the software and training materials.

100.6.2.3 Electronic notification in the MasterWorks software of any submittals that cannot be transmitted electronically, such as material samples.

100.6.2.4 Large format scanning capabilities with file size, resolution, and file naming convention as directed by the City.

100.6.2.5 Computer hardware, software, peripheral equipment, accessories, and Internet access as needed to integrate with and fully utilize the MasterWorks software, such as Adobe Acrobat, Internet Explorer, and Microsoft Word.

100.6.2.6 Frequent monitoring of the MasterWorks software.

100.6.3 Documents approved in the MasterWorks software shall have the same effect as ink-signed originals. Accordingly, the Consultant is required to safeguard his usernames and passwords, particularly those that have been given the rights within the MasterWorks software to provide approvals, and no excuse will be entertained by the City for unauthorized MasterWorks software access that uses the Consultant's assigned usernames. The Consultant shall ink-sign documents, in addition to or instead of the MasterWorks approvals, upon City request.

100.7 Photos. The requirement for the Consultant to obtain a City issued Film Permit to photograph the Project is waived for the Term of the Task Order. Photographs of the Project taken by the Consultant after final Consultant payment for the Task Order will again require a City issued Film Permit. Reference 10.04, E. Confidentiality for the allowed uses of Consultant photographs.

END OF EXHIBIT "A"

EXHIBIT "B"

REQUIRED SUBMITTALS

ARTICLE 200: GENERAL

200.1 The Required Submittals for this Contract shall be as set forth in each subsequently executed Project Task Order, the format of which is attached hereto as Exhibit "H".

200.2 Throughout the course of each Project Task Order, the Consultant shall brief the City Representative on a regular and frequent basis about the progress of the Project. Unless specified otherwise in the Project Task Order, briefings shall occur no less frequently than monthly and shall accompany invoices for payment. The briefings shall be a written report and shall include the following as appropriate to the Project: the status of and impacts to the Project schedule, milestones, budget, land acquisitions, right of way dedications, easements, utility and regulatory agency review status, all Project activity since the last report, current issues, and a forecast of upcoming activity.

200.3 All reports shall be on acid-free white paper, 8-1/2 x 11 inches, suitable for photocopying and bound in booklet form.

200.4 It is understood that the City may make and distribute copies of the reports as necessary in connection with the Project without incurring obligation for additional compensation.

END OF EXHIBIT "B"

EXHIBIT "C"

PERFORMANCE SCHEDULE

ARTICLE 300: GENERAL

300.1 CONTRACT TERM AND RENEWALS. SECTION 6 – TERM OF THE CONTRACT delineates the term of the contract and any renewal options, if applicable.

300.2 TASK ORDER. The Performance Schedule for each executed Project Task Order shall be as stated in the Task Order, the format of which is attached hereto as Exhibit "H".

END OF EXHIBIT "C"

EXHIBIT "D"

FEE BREAKDOWN

ARTICLE 400: GENERAL

400.1 The Fee Breakdown for this Contract shall be as set forth in each executed Project Task Orders, the format of which is attached hereto as Exhibit "H".

400.2 The total Blanket Contract annual maximum not-to-exceed fee for all of the Project Task Orders is **$150,000.00 with one one-year renewal.**

ARTICLE 401:

401.1 The City agrees to pay the Consultant on the basis of direct salary (Exhibit E – Article 500), times a **multiplier of 3.25**, plus approved non-salary expenses identified in Section 7.03, Section 7.04, and Exhibit E based on the Consultant's acceptable completion of the Scope of Services per individual task orders. The Consultant agrees to perform the services necessary to complete each task and, if applicable, each subtask, not to exceed the fee set forth in this Exhibit "D" (Fee Breakdown). Payment shall be made for completed tasks pursuant to monthly invoices submitted in accordance with this Contract.

401.2 Payments made under this contract will be in accordance with Section Seven - Compensation and Terms of Payment.

401.3 The City Representative shall have the authority to make such work scope adjustments to the line items within the task orders without processing this Contract for an amendment or additional services authorization, if (1) the revisions are documented and agreed to by the Consultant and City in writing prior to performance and (2) the Total Not to Exceed Cost for the contract/task order are not exceeded.

END OF EXHIBIT "D"

EXHIBIT "E"

COMPENSATION

ARTICLE 500: CONSULTANT HOURLY RATES

500.1 The following hourly rates represent the maximum allowable direct salary rate billable for payment of basic and additional services, as well as the basis for negotiation of added and reduced services. These hourly rates are valid for the duration of the Project and are representative of maximum direct salary costs. The Multiplier included in Exhibit D (Fee Breakdown) shall include associated overhead, administration, direct costs except as detailed in Section 7.03 and Exhibit E, and profit. This includes, but is not limited to, all support personnel who normally work on non-specific project tasks including but not limited to receptionists, senior executives together with their assistants, financial accounting personnel, and personnel maintaining facilities, equipment and computers.

CLASSIFICATION	MAXIMUM HOURLY RATE*
Principal	$78.96
Project Manager	$56.65
Architect	$54.34
Interior Designer	$50.13
Senior Draftsman	$48.39
Designer	$38.87
CADD Technician	$31.14
Document Administrator	$42.20
Scheduler	$78.96

* Hourly rates represent straight-time salary. Rates may be adjusted for city-approved overtime

ARTICLE 501: ADDITIONAL SERVICES RATES

501.1 The cost of the following potential future Additional Services have been negotiated as of the date of this Contract.

ADDITIONAL SERVICE	SUBMITTALS	SCHEDULE IMPACT	NOT-TO-EXCEEDFEE
None authorized or anticipated as of the date of this Contract.			$0
			$0
			$0

501.2 These Additional Services Rates are valid for the duration of the Project and include salary costs, equipment, overhead, administration and profit.

501.3 For Additional Services of sub-consultants, the City shall compensate the Consultant a multiple of **one (1.0)** times the amounts billed to the Consultant for such services. The Consultant may bill for their expenses in managing the Additional Service of sub-consultants, the amount of which is already included in the above Additional Service Rates or, if not listed in the above Additional Service Rates, shall be approved by the City in writing prior to the Consultant or sub-consultant providing the services.

501.4 The Consultant agrees to provide services in connection with the Project, which are in addition to those required by Exhibit "A" for Basic Services, as Additional Services if so requested by the City in writing. Such requests may include, but are not limited to, and are not necessarily indicated by this statement as being Additional Services rather than Basic Services: (i) significant changes in the Project's size, quality, complexity, budget, or time schedule, (ii) changes required due to conflicting instructions previously given by the City, (iii) changes required by the enactment or amendment to codes, laws or regulations subsequent to the preparation of such documents, (iv) services

concerning the replacement of that portion of the Project damaged by fire or other cause, and (v) services made necessary by the default or failure of the Contractor including major defects or deficiencies in the construction.

ARTICLE 502: REIMBURSABLE EXPENSES

502.1 The following Reimbursable Expenses are allowed:

REIMBURSABLE EXPENSE
None authorized or anticipated as of the date of this Contract.

502.2 For Reimbursable Expenses of the Consultant, the City shall compensate the Consultant a multiple of **one (1.0)** times the actual direct costs incurred by the Consultant. The multiplier includes all compensation for overhead and profit.

502.3 Reimbursable Expenses are limited to specific pre-authorized items or services purchased from third parties to this Contract, dedicated to only this Project. Additions to the above allowed Reimbursable Expenses may only be granted as a written amendment to this Contract.

502.4 If Reimbursable Expenses are established in this Contract as a fixed sum or a not-to-exceed amount, the Consultant has determined that this Reimbursable Expense amount will not be exceeded for the allowed Reimbursable Expenses for performance of the Services set forth in Exhibit "A" (Scope of Services), and accordingly does hereby assume the risk to complete the performance of this Contract without further compensation for Reimbursable Expenses should the costs exceed this fixed sum or not-to-exceed amount for Reimbursable Expenses.

502.5 Travel and per diem expenses are included in the Basic Services Fees, Consultant Hourly Rates, Sub-Consultant Hourly Rates, and Additional Services Rates shown in this Contract, and may otherwise only be authorized as reimbursable expenses by written amendment to this Contract. Expenses incurred prior to written authorization shall not be considered for reimbursement.

502.6 Should travel and per diem expenses be so authorized by the City:

502.6.1 Expenses shall be based on actual costs submitted for reimbursement with valid original receipts. If a receipt is not normally provided for the expense, a certification signed by the traveler shall be submitted. Submitted receipts for travel and per diem reimbursement shall name each traveler covered.

502.6.2 Rates for lodging and individual meals shall not exceed the published U.S. General Services Administration rates at Clark County, Nevada, including the 75% limitation on the day of departure and return.

502.6.3 Passenger vehicle mileage shall be reimbursed at the rate stipulated by the Internal Revenue Service.

502.6.4 Examples of expenses that will not be reimbursed include alcoholic beverages, entertainment, laundry, dry cleaning and pressing, parking fines, gratuities and tips excepting for taxicab and meals a 15% tip if shown on the receipt, costs related to making reservations or other accommodations for travel, phone calls, computer or Internet access costs, car rentals larger than mid-size and car rental insurance, air travel other than the lowest coach fair available and travel insurance, premature departure and extended stays for personal reasons, and indirect route for personal preference.

END OF EXHIBIT "E"

EXHIBIT "F"

KEY PERSONNEL LIST

ARTICLE 600: CITY PERSONNEL

600.1 CITY REPRESENTATIVE for this Blanket Contract: Sam Tolman
600.2 CITY REPRESENTATIVE'S SUPERVISOR: Allen Pavelka

600.3 CITY REPRESENTATIVE for each subsequent Project Task Order: As stated in each Project Task Order.

ARTICLE 601: CONSULTANT'S PROJECT STAFF

601.1 Unless stated otherwise in the Project Task Order, the following personnel will be assigned by the Consultant to work on the subsequent Project Task Order work. Any changes or additions require City approval.

601.1.1 RESPONSIBLE IN CHARGE PERSON
List name of individual Engineer as licensed: George M. Rogers, AIA

601.1.2 IN CHARGE PERSON'S STATE OF NEVADA LICENSE NUMBER
List Engineer license number: 2632

601.1.3 PROJECT MANAGER: David Downey

601.1.4 TECHNICIAN/CADD: Whitney Nelson

601.1.5 CLERICAL: Gloria Long-Hernandez

ARTICLE 602: CONSULTANT'S SUBCONSULTANTS

602.1 Unless stated otherwise in the Project Task Order, the following subconsultants will be contracted with and utilized by the Consultant to work on the Project. Any changes or additions require City approval.
602.1.1 None. All work to be performed by Consultant employees.

END OF EXHIBIT "F"

EXHIBIT "G"

CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS

1. Definitions

"City" means the City of Las Vegas.

"City Council" means the governing body of the City of Las Vegas.

"Contracting Entity," means the individual, partnership, or corporation seeking to enter into a contract with the City of Las Vegas.

"*Principal"* means, for each type of business organization, the following: (a) sole proprietorship – the owner of the business; (b) corporation – the directors and officers of the corporation; but not any branch managers of offices which are a part of the corporation; (c) partnership – the general partner and limited partners; (d) limited liability company – the managing member as well as all the other members; (e) trust – the trustee and beneficiaries.

2. Policy

In accordance with Resolution 79-99 and 105-99 adopted by the City Council, Contracting Entities seeking to enter into certain contracts with the City of Las Vegas must disclose information regarding ownership interests and principals. Such disclosure generally is required in conjunction with a Request for Proposals (RFP). In other cases, such disclosure must be made prior to the execution of a contract.

3. Instructions

The disclosure required by the Resolutions referenced above shall be made through the completion and execution of this Certificate. The Contracting Entity shall complete Block 1, Block 2, and Block 3. The Contracting entity shall complete either Block 4 or its alternate in Block 5. Specific information, which must be provided, is highlighted. An Officer or other official authorized to contractually bind the Contracting Entity shall sign and date the Certificate, and such signing shall be notarized.

4. Incorporation

This Certificate shall be incorporated into the resulting contract, if any, between the City and the Contracting entity. Upon execution of such contract, the Contracting Entity is under a continuing obligation to notify the City in writing of any material changes to the information in this Certificate. This notification shall be made within fifteen (15) days of the change. Failure to notify the City of any material change may result, at the option of the City, in a default termination (in whole or in part) of the contract, and/or a withholding of payments due the Contracting Entity.

Block 1: Contracting Entity	**Block 2: Description / Subject Matter of Contract**
Name: George M. Rogers, Chartered dba George M Rogers, Architect	**Services for:** Blanket Services Contract for Architectural Services
Address: 6325 South Jones, Suite 100, Las Vegas, Nevada 89119	
Telephone: 702-894-5027	**Project Number:** 190335-JH
EIN or DUNS : 86-0853881	

Block 3: Type of Business

☐ Individual ☐ Partnership ☐ Limited Liability Company ☒ Corporation ☐ Trust ☐ Other:

CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS (CONTINUED)

Block 4: Disclosure of Ownership and Principals

In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.

	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.	George Rogers - President	6325 South Jones Boulevard, Suite 100, Las Vegas, Nevada 89118	702-894-5027
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

The Contracting Entity shall continue the above list on a sheet of paper entitled "Disclosure of Ownership/Principals – Continuation" until full and complete disclosure is made. If continuation sheets are attached, please indicate the number of sheets: _____

Block 5: Disclosure of Ownership and Principals – Alternate

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this Certificate in lieu of providing the information set forth in Block 4 above. A description of such disclosure documents must be included below.

Name of Attached Document: _____

Date of Attached Document: _____ Number of Pages: ____

I certify under penalty of perjury, that all the information provided in this Certificate is current, complete and accurate. I further certify that I am an individual authorized to contractually bind the above named Contracting Entity.

_____
Name

26 Jun 19
_____
Date

Subscribed and sworn to before me this 26th day of June, 2019

_____
Notary Public

S.L. LASPINA
Notary Public, State of Nevada
No. 99-38565-1
My Appt. Exp. Nov. 1, 2019

EXHIBIT "H"

PROJECT TASK ORDER

Number H- ___

Blanket Services Contract Name:	
Consultant Name:	George M. Rogers, Chartered dba George M. Rogers, Architect
Contract Services Listed:	
Contract/Option Period From:	To:
Contract/Option Year Not-to-Exceed Fee:	
Aggregate Task Order value for current option year (prior to this Task Order):	
Amount of this Task Order	
Contract amount remaining after this Task Order:	

Whereas the City and Consultant have signed a Blanket Services Contract for the Consultant to provide professional services described in the Contract for the above named project(s), containing a not-to-exceed maximum aggregate fee that has not been fully utilized, and the City desires to utilize the Blanket Services Contract to provide services for the following named Project:

Project Name:	
Location:	
Description:	
Construction Cost Budget:	

The parties do hereby agree to the follow terms and conditions for this Project Task Order:

Section A - Scope of Services

PROPOSAL INCLUDED. In addition to the services to be provided within this Contract and its Exhibits, the scope of services is additionally contained in the Consultant's proposal dated , attached and included as Exhibit "H-_-1". Terms contained in the Consultant's proposal, other than the description of the scope of work to be accomplished by the Consultant, are not included by this reference into this Contract.

SCOPE OF PROJECT. The scope and location of the Project is generally described as follows:
Site address: _____
Approximate gross site acreage: _____
Approximate gross building square footage: _____
Offsite improvement area: _____
Improvement description: _____
As shown on the attachment to this Exhibit, titled _____

SCOPE OF SERVICES.
- - - - - -TYPE IN THE ENTIRE DETAILED SCOPE OF SERVICES FOR THIS PROJECT TASK ORDER HERE - - - - -

PROJECT MANAGEMENT SOFTWARE. Upon City request, Consultant shall utilize the City's online project management software (MasterWorks) as the primary means of communication with the City for this Project including, but not limited to, correspondence, contract changes, claims, reports, schedules, invoices, photos, drawing and specification submittals, and construction administration.

The City shall provide:

A limited training manual for the MasterWorks software and a maximum of two hours of MasterWorks software training for up to four people at the City's offices.
The cost of any software licenses required by the MasterWorks software manufacturer or distributor.
User accounts for Consultant's access to the MasterWorks software.

The Consultant shall provide:

Training of Consultant personnel required to utilize the MasterWorks software, except as provided by the City above.
Information using the forms, screen views, and information fields provided in the software and training materials.

Electronic notification in the MasterWorks software of any submittals that cannot be transmitted electronically, such as material samples.
Large format scanning capabilities with file size, resolution, and file naming convention as directed by the City.
Computer hardware, software, peripheral equipment, accessories, and Internet access as needed to integrate with and fully utilize the MasterWorks software, such as Adobe Acrobat, Internet Explorer, and Microsoft Word.
Frequent monitoring of the MasterWorks software.

Documents approved in the MasterWorks software shall have the same effect as ink-signed originals. Accordingly, the Consultant is required to safeguard his usernames and passwords, particularly those that have been given the rights within the MasterWorks software to provide approvals, and no excuse will be entertained by the City for unauthorized MasterWorks software access that uses the Consultant's assigned usernames. The Consultant shall ink-sign documents, in addition to or instead of the MasterWorks approvals, upon City request.

ADD THE APPROPRIATE FEDERAL FUNDING REQUIREMENTS HERE FOR YOUR PROJECT
CDBG, SNPLMA AND ARRA REQUIREMENTS CAN BE CUT AND PASTED FROM OUR NET

DO NOT INCLUDE ANY CONSULTANT EXCLUSIONS, CONSULTANT ASSUMPTIONS, OR OTHER CONDITIONS THAT LIMIT THE CONSULTANT'S RESPONSIBILITY WITHOUT REVIEW FROM THE CITY ENGINEER AND THE CITY ATTORNEY.
NEVER ADD ANY LANGUAGE THAT USES WORDS LIKE INDEMNIFICATION, INDEMNITY, INDEMNIFY, DEFEND, OR HOLD HARMLESS.

Section B – Required Submittals

In addition to the submittals required by the Blanket Services Contract for the services set forth in Section "A" (Scope of Services) of this Project Task Order, the Consultant shall deliver the following minimum submittals and deliverables for the Project, which shall be accomplished as soon as practical after the completion of each event, task, phase, and service, and as a prerequisite to payment for each related event, task, phase, and service.

- - - - - -TYPE IN THE ENTIRE DETAILED SCOPE OF THE DELIVERABLES FOR THIS PROJECT TASK ORDER HERE - - - - -

All reports shall be on white acid-free paper, 8-1/2 x 11 inches, suitable for photocopying and bound in booklet form. Submittals to regulatory agencies shall be as required for each agency. It is understood that the City may make and distribute copies of the reports as necessary in connection with the Project without incurring obligation for additional compensation.

Section C – Performance Schedule

For the services set forth in Section "A" (Scope of Services) of this Project Task Order, the Consultant shall accomplish the services in accordance with the following schedule.

1. The start date for the Consultant's scope of services shall be, without any further notice requirement, the date of this Project Task Order. Site access is hereby provided to the Consultant by the City for the scope of services contained in this Project Task Order. The City either has title to the property and the right of entry, or the City has secured permission from the present owner and tenant for entry to the property. The Consultant shall coordinate site access with any contractors working on site.

2. The maximum allowed time to complete each portion of the work is as follows:

BY PHASE	CALENDAR DAYS TO COMPLETE	REMARKS
Programming and Conceptual Design	00	Includes 2 week City review period.
Schematic Design	00	Includes 2 week City review period.
Design Development	00	Includes 1 week City review period.
Construction Documents	00	City review is concurrent with drawings.
Bidding		City determined.
Construction		City determined.
Post Construction		City determined.
TOTAL	0	

OR - - - - - DELETE THE TABLE ABOVE OR BELOW THAT IS NOT USED FOR YOUR TASK ORDER - - - - -

BY TASK	CALENDAR DAYS TO COMPLETE	REMARKS
TOTAL	0	

Section D – Fee Breakdown

COMPENSATION

The maximum compensation to be paid to the Consultant for performance of this Contract including Basic Services, Additional Services, and Reimbursable Expenses shall not exceed $_____. Increases to total compensation may only be authorized by written amendment or change order to this Task Order. This compensation amount is comprised of the parts described in this Section "D" (Fee Breakdown).

- - - SELECT ONE OF THE FOLLOWING PAYMENT METHODS AND DELETE THE OTHER OPTIONS - - -

BASIC SERVICES PAYMENT ON COMPLETION OF PHASES

For the services set forth in Section "A" (Scope of Services), the City agrees to pay to the Consultant in accordance with Section 7.0 and Appendix E for each phase of the Project identified in this Section "D" (Fee Breakdown). The Consultant agrees to perform the services required under this Contract Section "A" (Scope of Service) for the not-to-exceed amount set forth in this Section "D" (Fee Breakdown). Payment shall be made for each phase pursuant to monthly invoices submitted in accordance with this Contract based upon the percentage of services completed for each phase. The not-to-exceed fee shall constitute the maximum compensation to be paid to the Consultant regardless of the number of man-hours actually expended to complete the performance of the services set forth in Section "A" (Scope of Services).

PHASE	PERCENT of TOTAL	NOT-TO-EXCEED FEE	REMARKS
Programming and Conceptual Design	%	$0.00	
Schematic Design	%	$0.00	
Design Development	%	$0.00	
Construction Documents	%	$0.00	
Bidding	%	$0.00	
Construction	%	$0.00	
Post Construction	%	$0.00	
	TOTAL	$0.00	

OR - - - - - (DELETE METHODS NOT USED) - - - - -

BASIC SERVICES PAYMENT, NOT-TO-EXCEED COST BASED ON COMPLETION OF DELIVERABLES

For the services set forth in Section "A" (Scope of Services), the City agrees to pay to the Consultant in accordance with Section 7.0 and Appendix E based upon the completed of, and acceptance by the City, of each Deliverable identified in Section "A" (Scope of Services). The Consultant agrees to perform the services and complete the Deliverables required under this Contract Section "A" (Scope of Services) for not-to-exceed amount set forth in this Section "D" (Fee Breakdown). Payment shall be made for each completed Deliverable pursuant to invoices submitted in accordance with this Contract. The not-to-exceed fee shall constitute the maximum compensation to be paid to the Consultant regardless of the number of man-hours actually expended to complete the performance of the services set forth in Section "A" (Scope of Services) through the completion of the construction including the completion and final approval of all required reports.

DELIVERABLE	NOT-TO-EXCEED FEE	REMARKS
	$0.00	
	$0.00	
	$0.00	
	$0.00	
	$0.00	
	$0.00	
	$0.00	
TOTAL	$0.00	

OR - - - - - (DELETE METHODS NOT USED) - - - - -

BASIC SERVICES PAYMENT, NOT-TO-EXCEED COST BASED ON COMPLETION OF TASKS

The City agrees to pay the consultant in accordance with Section 7.0 and Appendix for each task and, if applicable, each subtask, set forth in Section "A" (Scope of Services) which is completed by the Consultant. The Consultant agrees to perform the services necessary to complete each task and, if applicable, each subtask, for the not-to-exceed amount of set forth in this Section "D" (Fee Breakdown). Payment shall be made for completed tasks pursuant to monthly invoices submitted in accordance with this Contract. The not-to-exceed fee shall constitute the maximum compensation to be paid to the Consultant regardless of the number of man-hours actually expended to complete the performance of the services set forth in Section "A" (Scope of Services) through the completion of the construction including the completion and final approval of all required reports.

TASK	QUANTITY	UNIT PRICE	UNIT	ESTIMATED COST
		$0.00	Per	$0.00
		$0.00	Per	$0.00
		$0.00	Per	$0.00
		$0.00	Per	$0.00
		$0.00	Per	$0.00
		$0.00	Per	$0.00
		$0.00	Per	$0.00
			TOTAL	$0.00

OR - - - - - (DELETE METHODS NOT USED) - - - - -

BASIC SERVICES PAYMENT, NOT-TO-EXCEED COST BASED ON COMPLETION OF TASKS

The City agrees to pay the fixed fee unit price attributable to each task and, if applicable, each subtask, set forth in Section "A" (Scope of Services) which is completed by the Consultant. The Consultant agrees to perform the services necessary to complete each task and, if applicable, each subtask, for the amount of the fixed fee set forth in this Section "D" (Fee Breakdown). Payment shall be made for completed tasks pursuant to monthly invoices submitted in accordance with this Contract. The fixed fee unit price shall constitute the entire compensation to be paid to the Consultant regardless of the number of man-hours actually expended to complete the performance of the services set forth in Section "A" (Scope of Services) through the completion of the construction including the completion and final approval of all required reports.

A Total Not-To-Exceed Cost for Completion of Tasks is hereby established as set forth below. The quantity of tasks will be determined and pre-authorized in writing to the Consultant by the City Representative over the course of the Project, including adjustments of the estimated quantity of units between line-item tasks, without the need to amend this Contract up to the Total Not-To-Exceed Cost. Fees for additional tasks not described in this Section "D" (Fee Breakdown) may be negotiated over the course of the Project and utilized as part of the Total Not-To-Exceed Cost for Completion of Tasks without amending this Contract. Tasks performed prior to receiving the required written authorization or in excess of the Total Not-To-Exceed Cost for Completion of Tasks shall not be obligated for compensation.

Increases to the Total Not-To-Exceed Cost for Completion of Tasks may only be authorized by amendment or change order to this Contract. Amendments or change orders to this Contract must be in writing and signed by both parties prior to the performance of any service resulting in an increase to this Total Not-To-Exceed Cost for Completion of Tasks.

TASK	FIXED FEE UNIT PRICE	UNIT	ESTIMATED QUANTITY OF UNITS	ESTIMATED COST	REMARKS
	$	Per	1	$	
	$	Per	1	$	
	$	Per	1	$	
	$	Per	1	$	
	$	Per	1	$	
TOTAL NOT-TO-EXCEED COST				$	

OR - - - - - (DELETE METHODS NOT USED) - - - - -

BASIC SERVICES PAYMENT, NOT-TO-EXCEED COST BASED ON HOURLY AND TESTING RATES

For the services set forth in Exhibit "A" (Scope of Services), the City agrees to pay to the Consultant based upon the Consultant hourly rates and testing rates established in the Consultant's attached proposal dated _____based upon the completed and approved services performed for the prior month. The Consultant agrees to perform the services required under this Contract Exhibit "A" (Scope of Services) for no more than the amount of the Total Not-to-Exceed Cost set forth in this Exhibit "D" (Fee Breakdown). Payment shall be made pursuant to monthly invoices submitted in accordance with this Contract. The Total Not-to-Exceed Cost shall constitute the maximum compensation to be paid to the Consultant regardless of the number of man-hours actually expended to complete the performance of the services set forth in Exhibit "A" (Scope of Services) through the completion of the construction including the completion and final approval of all required reports.

SERVICE	NOT-TO-EXCEED COST	REMARKS
Special Inspection and Materials Testing	$0.00	
	$0.00	
	$0.00	
	$0.00	
	$0.00	
TOTAL NOT TO EXCEED COST	$0.00	

The amounts shall not be shifted between the Not-to-Exceed Cost for each service shown above unless the City Representative so authorizes in writing.

ALLOWANCE FOR ADDITIONAL SERVICES

A Not-To-Exceed Allowance for Additional Services is hereby established as set forth below. The City Representative has authority to pre-authorize in writing Additional Services up to the Total Not-To-Exceed Cost. Services performed prior to receiving the required written authorization or in excess of the Total Not-To-Exceed Cost shall not be obligated for compensation.

Additional Services are services provided in the interests of the Project that are not set forth in Section "A" (Scope of Services).

The Consultant shall be compensated for Additional Services in accordance with the Additional Services fees set forth in Section "E" (Additional Compensation), or if no Additional Service fee has been established for the service, in accordance with the Consultant Hourly Rates established in Section "E" (Additional Compensation). Additional Service compensation disputes shall be resolved in accordance with the claims and disputes provisions of this Contract and shall not be cause for the Consultant to delay providing requested services. Payment shall be made for each completed Additional Service pursuant to invoices submitted in accordance with this Contract.

Reimbursable Expenses may be compensated from this Allowance for Additional Services to the extent they are allowed by Exhibit "E" (Additional Compensation). Payment shall be made for each completed Reimbursable Expense pursuant to invoices submitted in accordance with this Contract. Expenses not listed in Exhibit "E" (Additional Compensation) as allowed Reimbursable Expenses shall not be compensated without amendment or change order to this Contract to allow them as Reimbursable Expenses.

Increases to this Total Not-To-Exceed Cost for Additional Services may only be authorized by written amendment or change order to this Contract.

ADDITIONAL SERVICES ALLOWANCE		
TOTAL NOT-TO-EXCEED COST	$0.00	

Section E – Additional Compensation

Consultant Hourly Rates: Unchanged from the description included in Exhibit "E" of the Blanket Services Contract.

Additional Services Rates: Unchanged from the description included in Exhibit "E" of the Blanket Services Contract.

Reimbursable Expenses: Unchanged from the description included in Exhibit "E" of the Blanket Services Contract.

Section F – Key Personnel List

Unchanged from the description included in Exhibit "F" of the Blanket Services Contract, except as follows:

CITY REPRESENTATIVE:
CITY REPRESENTATIVE'S SUPERVISOR:

*- - - - - - THE PROJECT MANAGER'S NAME SHOULD BE LISTED FOR **THIS** TASK ORDER PROJECT. - - - - - - -*

Section G – Disclosure

Unchanged since signing Exhibit "G" of the Blanket Services Contract.

- - - - - - - VERIFY WITH THE CONSULTANT - - - - - -

Upon execution hereof, this Project Task Order shall be attached to the Blanket Services Contract referenced herein.

Dated this _____ day of _____, _____.

By: _____
CONSULTANT
Name, title
Firm Name

By: _____
CITY
Name, Project Manager

EXHIBIT "G"

CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS

1. Definitions

"City" means the City of Las Vegas.

"City Council" means the governing body of the City of Las Vegas.

"Contracting Entity," means the individual, partnership, or corporation seeking to enter into a contract with the City of Las Vegas.

"*Principal"* means, for each type of business organization, the following: (a) sole proprietorship – the owner of the business; (b) corporation – the directors and officers of the corporation; but not any branch managers of offices which are a part of the corporation; (c) partnership – the general partner and limited partners; (d) limited liability company – the managing member as well as all the other members; (e) trust – the trustee and beneficiaries.

2. Policy

In accordance with Resolution 79-99 and 105-99 adopted by the City Council, Contracting Entities seeking to enter into certain contracts with the City of Las Vegas must disclose information regarding ownership interests and principals. Such disclosure generally is required in conjunction with a Request for Proposals (RFP). In other cases, such disclosure must be made prior to the execution of a contract.

3. Instructions

The disclosure required by the Resolutions referenced above shall be made through the completion and execution of this Certificate. The Contracting Entity shall complete Block 1, Block 2, and Block 3. The Contracting entity shall complete either Block 4 or its alternate in Block 5. Specific information, which must be provided, is highlighted. An Officer or other official authorized to contractually bind the Contracting Entity shall sign and date the Certificate, and such signing shall be notarized.

4. Incorporation

This Certificate shall be incorporated into the resulting contract, if any, between the City and the Contracting entity. Upon execution of such contract, the Contracting Entity is under a continuing obligation to notify the City in writing of any material changes to the information in this Certificate. This notification shall be made within fifteen (15) days of the change. Failure to notify the City of any material change may result, at the option of the City, in a default termination (in whole or in part) of the contract, and/or a withholding of payments due the Contracting Entity.

Block 1: Contracting Entity	**Block 2: Description / Subject Matter of Contract**
Name: George M. Rogers, Chartered dba George M Rogers, Architect	**Services for:** Blanket Services Contract for Architectural Services
Address: 6325 South Jones, Suite 100, Las Vegas, Nevada 89119	
Telephone: 702-894-5027	**Project Number:** 190335-JH
EIN or DUNS : 86-0853881	

Block 3: Type of Business

☐ Individual ☐ Partnership ☐ Limited Liability Company ☒ Corporation ☐ Trust ☐ Other:

CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS (CONTINUED)

Block 4: Disclosure of Ownership and Principals

In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.

	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.	George Rogers - President	6325 South Jones Boulevard, Suite 100, Las Vegas, Nevada 89118	702-894-5027
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

The Contracting Entity shall continue the above list on a sheet of paper entitled "Disclosure of Ownership/Principals – Continuation" until full and complete disclosure is made. If continuation sheets are attached, please indicate the number of sheets: _____

Block 5: Disclosure of Ownership and Principals – Alternate

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this Certificate in lieu of providing the information set forth in Block 4 above. A description of such disclosure documents must be included below.

Name of Attached Document: _____

Date of Attached Document: _____ Number of Pages: ____

I certify under penalty of perjury, that all the information provided in this Certificate is current, complete and accurate. I further certify that I am an individual authorized to contractually bind the above named Contracting Entity.

_____
Name

26 Jun 19
_____
Date

Subscribed and sworn to before me this 26th day of June, 2019

_____
Notary Public

S.L. LASPINA
Notary Public, State of Nevada
No. 99-38565-1
My Appt. Exp. Nov. 1, 2019

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
20

DEPARTMENT: Legislative Affairs **CONSENT**
DIRECTOR: Ted Olivas

SUBJECT:
For possible action to approve the ratification of Dorian Stonebarger in a Council support position as a Special Assistant to Council in the Ward 1 office ($63,203 annual salary + Benefits - General Fund) - Ward 1 (Knudsen)

FISCAL IMPACT:
Budget Funds Available
Amount: $63,203 + Benefits
Funding Source: General Fund
Dept./Division: City Council - Ward 1

PURPOSE/BACKGROUND:
Pursuant to Section 3.020 of the City Charter, all Council positions are subject to ratification by the City Council. Councilman Knudsen has requested the appointment of Dorian Stonebarger to the position of Special Assistant to Council in the Ward 1 office.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
None

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
21

DEPARTMENT: Legislative Affairs **CONSENT**
DIRECTOR: Ted Olivas

SUBJECT:
For possible action to approve the ratification of Bryan Baltazar in a Council support position as a Special Assistant to Council in the Ward 2 office ($63,203 annual salary + Benefits - General Fund) - Ward 2 (Seaman)

FISCAL IMPACT:
Budget Funds Available
Amount: $63,203 + Benefits
Funding Source: General Fund
Dept./Division: City Council - Ward 2

PURPOSE/BACKGROUND:
Pursuant to Section 3.020 of the City Charter, all Council positions are subject to ratification by the City Council. Councilwoman Seaman has requested the appointment of Bryan Baltazar to the position of Special Assistant to Council in the Ward 2 office.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
None

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
22

DEPARTMENT: Legislative Affairs **CONSENT**
DIRECTOR: Ted Olivas

SUBJECT:
For possible action to approve the ratification of David McGowan in a Council support position as a Special Assistant to Council in the Ward 2 office ($66,995 annual salary + Benefits - General Fund) - Ward 2 (Seaman)

FISCAL IMPACT:
Budget Funds Available
Amount: $66,995 + Benefits
Funding Source: General Fund
Dept./Division: City Council - Ward 2

PURPOSE/BACKGROUND:
Pursuant to Section 3.020 of the City Charter, all Council positions are subject to ratification by the City Council. Councilwoman Seaman has requested the appointment of David McGowan to the position of Special Assistant to Council in the Ward 2 office.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
None

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
23

DEPARTMENT: Operations & Maintenance **CONSENT**
DIRECTOR: Jerry Walker

SUBJECT:
For possible action to approve an Interlocal Agreement between the City of Las Vegas and the Las Vegas Redevelopment Agency for the Lease of the Fifth Street School, located at 401 South 4th Street - Ward 3 (Diaz) [NOTE: This item is related to Redevelopment Agency Item 5]

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
The Las Vegas Redevelopment Agency (RDA) desires to lease a portion of the Historic Fifth Street School consisting of 6,131 square feet for a term of one year with an option to renew for four additional terms of one year each. The RDA will pay to the City a rental amount of $13,610.82 per month and will increase annually by the Consumer Price Index.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
1. Interlocal Agreement

INTERLOCAL AGREEMENT FOR THE LEASE OF THE FIFTH STREET SCHOOL BETWEEN CITY OF LAS VEGAS AND LAS VEGAS REDEVELOPMENT AGENCY

THIS LEASE AGREEMENT ("**Lease**") is made and entered into by and between the CITY OF LAS VEGAS, a Nevada municipal corporation (the "**City**" or "**Landlord**") and the LAS VEGAS REDEVELOPMENT AGENCY, a public body in the State of Nevada (the "**RDA**" or "**Tenant**"). Landlord and Tenant are sometimes collectively referred to herein as the "**Parties**".

This Lease is effective on the date approved by the City and RDA, whichever date is later, as long as the date approved by the second party is within thirty (30) calendar days of the date approved by the first party (the "**Effective Date**").

RECITALS

WHEREAS, Landlord is the owner of certain improved real property and improvements commonly known as the Historic Fifth Street School located at 401 S. 4th Street, Las Vegas, Nevada, 89101 (the "**Premises**"); and

WHEREAS, the Tenant desires to lease a portion of the Premises (the "**Leased Premises**") consisting of Six Thousand One Hundred and Thirty One Square Feet (6,131 SF) as depicted on Exhibit A under the terms, conditions and covenants hereinafter set forth; and

WHEREAS, Landlord desires to lease the Leased Premises to Tenant and Tenant desires to lease the Leased Premises from Landlord in accordance with Nevada law.

NOW, THEREFORE, in consideration of the mutual terms, conditions, and covenants hereinafter set forth, the parties agree as follows:

AGREEMENT

ARTICLE 1
DEMISE OF LEASED PREMISES AND TERM

1.1. PREMISES. Landlord hereby leases to Tenant, and Tenant hereby leases from Landlord, the Leased Premises, subject to the terms, conditions, benefits, and rights hereinafter set forth. The Parties acknowledge that as of the Effective Date, there are two (2) existing tenants in the Premises. The American Institute of Architects (the "**AIA**") will vacate the portion of the Premises the AIA is occupying by August 1, 2019. The University of Nevada Las Vegas College of Fine Arts ("**UNLV**") is occupying a portion of the Premises as defined in the lease agreement between the City and UNLV, on file with the City (the "**UNLV Lease**"). The City will assign the UNLV Lease to the RDA. It is anticipated that UNLV will vacate the portion of the Premises UNLV is occupying by December 31, 2019.

1.2. PRIMARY TERM. Unless earlier terminated in accordance with the terms in this Lease, the Primary Term shall be for a term of one (1) year, commencing on August 1, 2019, (the "**Commencement Date**") and terminating on the first anniversary of the Commencement Date ("**Expiration Date**").

1.3. OPTION TERM. At all times during which this Lease is in force and effect, and if Tenant is not in default of this Lease, Tenant may request to extend this Lease for four (4) additional terms of one (1) year each (each, an "**Option Term**") by giving a written request addressed to the attention of the City Manager at least sixty (60) days prior to the expiration of the Primary Term or any Option Term, and

upon receiving such request, Landlord shall provide written notification of approval or denial of the Option Term within thirty (30) days of receipt of the request.

1.4 HOLDOVER TERM. In the event that an Option Term is not exercised or approved at the end of the Primary Term or any Option Term, and if Tenant is not in breach of this Lease, this Lease shall continue on a month-to-month tenancy (the "**Holdover Term**"). With thirty (30) days written notice, either party may terminate this Lease during the Holdover Term. The Holdover Term created by this Article will be subject to all remaining terms and conditions of this Lease.

"**Lease Term**" as used herein refers collectively to the Primary Term, Option Term, if any, and Holdover Term, if any.

1.5. TERMINATION. In addition to other termination provisions contained in this Lease, either party may terminate this Lease for any reason by providing thirty (30) days written notice to the other party.

ARTICLE 2
RENT; TAXES

2.1. PRIMARY TERM RENT. Tenant agrees to pay to Landlord, at such place as Landlord may designate in writing, without prior demand and without any deduction or off-set whatsoever, except as provided in this Lease, Primary Term Monthly Rent of TWO AND 22/100 DOLLARS ($2.22) per square foot per month for a total Primary Term Monthly Rent of THIRTEEN THOUSAND SIX HUNDRED TEN AND 82/100 DOLLARS ($13,610.82). The first Primary Term Monthly Rent payment is due within seven (7) days of the Commencement Date, and Rent throughout the remaining Lease Term due and payable on the first day of each calendar month of any Lease Term.

2.2. OPTION TERM RENT AND HOLDOVER TERM RENT. At the end of any Lease Term, the monthly Rent for each succeeding Term shall be increased annually by the Consumer Price Index ("**CPI**") where CPI is the Consumer Price Index for the month preceding such lease anniversary year. As used herein, Consumer Price Index shall mean and refer to that table in the Consumer Price Index published by the United States Department of Labor, Bureau of Labor Statistics, now known as the "*Consumer Price Index*" for all Urban Consumers (Index 1982-1984 = 100). If such Index referred to above shall be discontinued, then any successor Consumer Price Index of the United States Bureau of Labor Statistics, or successor agency thereto, shall be used, and if there is no successor Consumer Price Index, the Parties authorize Landlord's attorney to designate a substitute Index or formula. In no event shall the next lease year rental be less than the prior year.

"**Rent**" as used herein refers collectively to the Primary Term Monthly Rent, Option Term Monthly Rent, if any, and Holdover Term Monthly Rent, if any.

2.3. TAXES RELATED TO TENANT ACTIVITIES. Tenant shall pay when due any and all taxes, assessments or fees for which Tenant is liable and which arise directly or indirectly from Tenant's activities on the Leased Premises. Within ten (10) business days of written demand from Landlord, Tenant shall furnish Landlord evidence satisfactory to Landlord of the timely payment of any such tax, assessment or fee.

2.4. LANDLORD RECEIVES STATEMENT OR BILL. Whenever Landlord shall receive any statement or bill for any tax, payable in whole or in part by Tenant, or shall otherwise be required to make any payment on account thereof, Tenant shall pay the amount due hereunder within ten (10) business days after written demand therefor accompanied by delivery to Tenant of a copy of such tax statement.

ARTICLE 3
DELIVERY/ACCEPTANCE AND SURRENDER OF LEASED PREMISES

3.1. DELIVERY/ACCEPTANCE OF THE LEASED PREMISES. Upon the Commencement Date, Landlord shall deliver to Tenant, and Tenant shall accept from Landlord, possession of the Leased Premises, including fixtures. Tenant acknowledges and agrees that it is leasing the Leased Premises based solely upon Tenant's inspection and investigation of the Leased Premises and all documents related thereto, or its opportunity to do so, and except for Landlord's covenants, representations and warranties otherwise expressly set forth in this Lease, Tenant is leasing the Leased Premises in an "*AS IS, WHERE IS*" condition, without relying upon any representations or warranties, express, implied or statutory, of any kind. Without limiting the above, Tenant acknowledges that, except as otherwise expressly set forth in this Lease, neither Landlord, nor any other party has made any representations or warranties, express or implied, on which Tenant is relying as to any matters, directly or indirectly, concerning the Leased Premises including, but not limited to, the Existing Building Improvements and infrastructure, if any, development rights, expenses associated with the Leased Premises, taxes, assessments, bonds, utilities, soil, subsoil, drainage, environmental or building laws, rules or regulations, or Hazardous Materials or any other matters affecting or relating to the Leased Premises.

3.2. SURRENDER OF LEASED PREMISES. At the expiration of any Lease Term or the earlier termination of this Lease, Tenant will surrender possession of the Leased Premises and deliver the same to Landlord in good order, condition and repair, ordinary wear and tear, casualty, condemnation, and acts of God excepted, in each case shall automatically vest in, revert to (as applicable) and become the property of Landlord, in each case free and clear of all liens or encumbrances, but without any other representation or warranty by Tenant and without any compensation to, or requirement of consent or other act of Tenant and without the necessity of executing a deed, bill of sale, conveyance, or other act or agreement of Tenant. Upon the expiration or earlier termination of this Lease, Tenant shall have no right to remove any fixtures from the Leased Premises without the express written consent of Landlord. In the event Tenant does not surrender possession of the Leased Premises to Landlord as provided above, Landlord shall use all means to evict Tenant from the Leased Premises.

Any improvements installed by Tenant, including without limitation, trade fixtures, furniture, furnishings or other property that are permanently affixed to the Leased Premises shall not be removed by Tenant upon the termination of this Lease and shall automatically become the property of Landlord.

All of Tenant's trade fixtures, furniture, furnishings, and other personal property not permanently affixed to the Leased Premises (collectively referred to as "**Tenant's Personal Property**") shall be and remain the property of Tenant during the Lease Term. During the Lease Term, Tenant shall have the right to remove or dispose of any or all of Tenant's Personal Property, though Tenant shall repair any damage caused to the Leased Premises resulting from such removal; provided, however, that at all times Tenant shall provide and maintain during the entire Lease Term such Tenant's Personal Property as necessary in order to operate the Leased Premises in accordance with the terms of this Lease.

ARTICLE 4
USE AND OPERATIONS OF LEASED PREMISES

4.1. NEW IMPROVEMENTS. Tenants shall have no right to install any improvements to the Leased Premises without the prior written approval of Landlord, and in Landlord's sole discretion. Tenant acknowledges that any improvements installed by Tenant shall comply with all applicable laws, codes, and regulation, including any special requirements that may result from the historical character of the Premises.

4.2. LANDLORD'S INSPECTION. With reasonable prior notice and compliance with any safety conditions ore requirements of Tenant or its contractors, the construction of the Tenant's improvements shall be subject to reasonable inspection by the Landlord to ensure compliance with the terms and conditions of this Agreement, provided, however, the Landlord shall indemnify, defend, and hold harmless the Tenant in connection with any such inspection.

By entering this Agreement, the Landlord is not acting in any regulatory capacity, and the design and construction of Tenant's improvements is subject to review and approval by, without limitation, the City's Building and Public Works departments.

4.3. TENANT'S AND COVENANT TO OPERATE LEASED PREMISES. Tenant shall use the Leased Premises solely for the purpose of conducting its business, which is expressly limited to Tenant's operations as the Redevelopment Agency. Tenant shall not use or permit the Leased Premises to be used for any other purpose or purposes except as otherwise provided herein without the prior written consent of the City Manager. Tenant covenants the Leased Premises will be continually operated as administrative offices and other uses directly related to Tenant's operations as a Redevelopment Agency. Additional uses not contemplated herein are subject to the review and approval by the City Manager, which may be withheld in the City Manager's sole discretion. Tenant agrees that the abandonment of the Leased Premises by Tenant, defined as continuous non-use of the Leased Premises for a period of more than thirty (30) calendar days shall constitute a Tenant Event of Default under this Lease.

Landlord acknowledges that Tenant may sub-let or license the use of a portion of the Leased Premises to third parties pursuant to Section 5.4 hereof.

4.4. PROHIBITION ON LIENS. Tenant shall pay when due all claims for labor and material furnished to the Leased Premises other than any claims caused by or for the benefit of Landlord. Tenant shall give Landlord at least thirty (30) days prior written notice of the commencement of any work on the Leased Premises by Tenant or on its behalf. Landlord may elect to record and post notices of non-responsibility on the Leased Premises. Tenant will not permit to be created or to remain undischarged any lien, encumbrance or other charge arising out of any work done or materials or supplies furnished by any contractor, subcontractor, mechanic, laborer or materialman or any mortgage, conditional sale, security agreement or chattel mortgage, or otherwise by or for Tenant which might be or become a lien or encumbrance or other charge (collectively a "**Charge**") against or upon the Leased Premises or any part thereof. If any Charge by a person engaged by Tenant or Tenant's contractor to work on the Leased Premises shall be filed against or upon the Leased Premises or any part thereof, Tenant shall within thirty (30) days after demand from Landlord cause the same to be discharged of record by payment, deposit, bond, order of a court of competent jurisdiction or otherwise. If Tenant shall fail to cause any Charge to be discharged within the period aforesaid, then, in addition to any other right or remedy it may have, Landlord may, but shall not be obligated to, discharge the same by payment, deposit or by bonding proceedings. Any amount so paid by Landlord and all interest, costs and expenses, including reasonable attorneys' fees, incurred by Landlord in connection therewith shall constitute additional rent payable by Tenant under the Lease and shall be paid by Tenant to Landlord promptly upon demand. No work which Landlord permits Tenant to do shall be deemed to be for the immediate use and benefit of Landlord and no Charge shall be allowed against the estate, right, title or interests of Landlord by reason of any consent given by Landlord to Tenant to do work in or about the Leased Premises or provide materials therefore.

Notwithstanding the foregoing, Tenant may in good faith, by appropriate proceedings and upon notice to Landlord, contest the validity, applicability or amount of any Charge so long as (i) such contest is diligently pursued, and (ii) Landlord reasonably determines that such contest suspends the obligation to pay the Charge and that nonpayment of such Charge will not result in the sale, loss, forfeiture or diminution of the Leased Premises or any part thereof or any interest of Landlord therein; provided,

however, that Tenant shall promptly cause to be paid any amount adjudged by a court of competent jurisdiction to be due, with all interest, costs and penalties thereon, promptly after such judgment becomes final; and provided, further, that in any event each such contest shall be concluded, the Charge shall be paid prior to the date any writ or order is issued under which the Leased Premises may be sold, lost or forfeited.

4.5. MAINTENANCE OF THE LEASED PREMISES.

A. Landlord shall be responsible for maintenance of the Leased Premises and shall have the obligation to repair all components of the electrical, mechanical, plumbing, heating, air conditioning and ventilation systems which serve the Leased Premises; the foundations, exterior structural walls and structural roof of the Leased Premises; windows, doors, plate glass or the interior surfaces of exterior walls of the Leased Premises.

B. Tenant shall keep the Leased Premises in a clean, neat, and orderly condition, free of objectionable noise, odors, or nuisances and will in all respects and at all times fully comply with health, safety, and police regulations, including all laws, regulations, statutes, or codes concerning the use, storage, or maintenance of Hazardous Materials on the Leased Premises. Tenant shall further not suffer or permit any person to commit any waste on the Leased Premises.

Landlord shall provide all maintenance including but not limited to landscaping, pest control, air filter replacement, fire extinguisher maintenance and inspection, and fire suppression maintenance and inspections for the Leased Premises. Landlord's failure to maintain the Leased Premises shall constitute an Event of Default by Landlord.

4.6. UTILITIES. Tenant shall be responsible for Twenty Two percent (22%) as the proportionate share (based on square footage of the Leased Premises relative to the Premises) of the gas, electric, landscape maintenance, internet, water, sewer, trash, and janitorial services provided to the Leased Premises by Landlord (collectively, the "**Utility and Maintenance Costs**"). Landlord shall invoice Tenant monthly for the Utility and Maintenance Costs, due and payable within thirty (30) days of receipt of said invoice.

4.7. COMPLIANCE WITH THE LAW. Landlord and Tenant shall not use or knowingly permit any person to use all or any portion of the Leased Premises in any manner which violates any laws, ordinances, or regulations of the United States; the State of Nevada; Clark County, Nevada; or City of Las Vegas, Nevada; or any other government authority having jurisdiction over the Leased Premises.

4.8. ENVIRONMENTAL CONDITIONS.

A. NO HAZARDOUS SUBSTANCES. Tenant shall not have any liability whatsoever under this Lease to Landlord for any Hazardous Substances generated, stored, manufactured, produced, released, spilled, present, located, discharged or disposed of on, under, beneath, or within the soil, subsurface, surface water, or ground water of the Leased Premises prior to or as of the Commencement Date. After the Commencement Date, Tenant shall not use the Leased Premises, or permit any entity or person to use the Leased Premises, for the generation, storage, manufacture, production, releasing, discharge, or disposal or any Hazardous Substances; provided, however, Tenant shall be permitted to store, use and dispose of Hazardous Substances (a) to the extent packaged and contained in cleaning or office products for consumer use in quantities for ordinary day-to-day use, and (b) to the extent customarily used in museums with regards to the exhibits located or held therein from time to time. If Tenant knows, or has reasonable cause to believe, that Hazardous Substances have come to be located in, on, under or about the Leased Premises during the Lease Term, Tenant shall promptly give Landlord written notice thereof, together with a copy of any statement, report, notice, registration, application,

permit, license, claim, action, or proceeding given to, or received from, any Governmental Authority or private party concerning the presence, spill, release, discharge of, or exposure to, Hazardous Substances including but not limited to all such documents as may be involved in any reportable use involving the Leased Premises during the Lease Term. If any Hazardous Substances, other than Known Hazardous Substances, are present in or about the Leased Premises during the Lease Term, Landlord shall have the right upon twenty-four (24) hour advance written notice to Tenant to engage a consultant to inspect the Leased Premises and to review Tenant's use of Hazardous Substances and all of Tenant's practices with respect to its use of such Hazardous Substances. Tenant shall cooperate in all respects with such inspections and reviews. All reasonable costs of such consultants shall be reimbursed to Landlord within fifteen (15) days of written demand therefor by Landlord. No termination, cancellation, or release agreement entered into by Landlord and Tenant shall release Tenant from its obligations under this Article, unless specifically so provided in such agreement.

B. ENVIRONMENTAL INDEMNITY. Tenant shall have no indemnification obligation in connection with any Hazardous Substances generated, stored, manufactured, produced, released, spilled, present, located, discharged or disposed of on, under, beneath, or within the soil, subsurface, surface water, or ground water of the Leased Premises prior to or as of the Commencement Date. Tenant shall indemnify, protect, defend and hold Landlord, its Mayor, Council Members, officers, employees and agents, and the Leased Premises, harmless from and against any and all damages, liabilities, judgments, costs, claims, liens, expenses, penalties, loss of permits and attorneys' and consultants' fees arising out of or otherwise involving: (i) Tenant's failure to use or occupy the Leased Premises in a manner consistent with Applicable Environmental Guidance; or (ii) any Hazardous Substances brought onto the Leased Premises by or for Tenant or by anyone under Tenant's control after the Commencement Date and during the Lease Term ("**Covered Hazardous Substances**"). Tenant's indemnification obligations under this Article shall include, but not be limited to, the effects of any contamination or injury to person, property or the environment created or suffered by Tenant during the Lease Term, and the cost of investigation (including reasonable consultants' and attorneys' fees and testing), removal, remediation and/or abatement of any Covered Hazardous Substances. No termination, cancellation or release agreement entered into by Landlord and Tenant shall release Tenant from its obligations under this Article, unless specifically so provided in such agreement. Tenant's indemnity obligations provided in this Article shall include, without in any way limiting the foregoing:

(1). All reasonable costs, expenses and attorneys' fees incurred or sustained by any party in making any investigation on account of any claim, demand, loss, liability, cost, charge, suit, order, judgment or adjudication, in prosecuting or defending any action brought in connection therewith, in obtaining or seeking to obtain a release therefrom and in enforcing any of the agreements herein contained;

(2). Liability for required costs and expenses of abatement, correction or clean-up, fines, damages, response costs or penalties pursuant to the provisions of any Applicable Laws or Environmental Laws; and

(3). Liability for personal injury or Leased Premises damage arising under any statutory or common-law tort theory, including, without limitation, damages assessed for the maintenance of a public or private nuisance, or for the carrying on of an abnormally dangerous activity, and response costs.

Tenant's environmental indemnity obligations in this Article shall survive termination of this Lease.

ARTICLE 5
ASSIGNMENT AND SUBLETTING

5.1. ASSIGNMENT PROHIBITED. With the exception of short-term sublease as defined in this Article, Tenant shall not transfer or assign this Lease, in whole or in part, or permit the use of the Leased Premises by any person or persons other than Tenant, or sublet the Leased Premises, or any part thereof, without the prior written consent of Landlord in each instance. Such prohibition against assigning or subletting shall include any assignment or subletting by operation of law. Any transfer of this Lease from Tenant by merger, consolidation, transfer of assets, or liquidation shall constitute an assignment for purposes of this Lease.

5.2. CONSENT REQUIRED. Any assignment or subletting without Landlord's consent, in its sole discretion, shall be void, and shall constitute a default hereunder which, at the option of Landlord, shall result in the termination of this Lease or exercise of Landlord's other remedies hereunder. Consent to any assignment or subletting shall not operate as a waiver of the necessity for consent to any subsequent assignment or subletting, and the terms of such consent shall be binding upon any person holding by, under or through Tenant.

5.3. SHORT-TERM SUBLEASE/LICENSE. Landlord approval shall not be required for a short term sublease, defined as a sublease that is less than one (1) calendar year in duration and for less than fifty percent (50%) of the square feet of the Leased Premises. Any short-term sublessee shall agree that it shall be bound by each and every covenant, term and condition that are applicable to Tenant contained in this Lease, and that it shall perform promptly as and when due all said covenants, terms and conditions. Tenant shall notify Landlord of any sublease of the Leased Premises, including the identity of the subtenant and the terms and conditions of the sublease.

ARTICLE 6
LEASEHOLD ENCUMBRANCES

6.1. NON-SUBORDINATION. The fee estate in the Property and Landlord's interest under this Lease shall not be subordinate to, and Landlord shall not be required to subject its fee estate and interest in the Leased Premises or this Lease, to the lien of any financing or mortgage sought or obtained by Tenant, including, without limitation, any leasehold mortgage.

6.2. NO RIGHT TO ENCUMBER. Tenant has no right to hypothecate, pledge, encumber or mortgage its interest in this Lease, the leasehold estate in the Leased Premises created hereby, or any part or parts thereof or interest therein.

ARTICLE 7
INDEMNIFICATION

7.1. INDEMNITY.

A. Tenant shall indemnify and hold harmless Landlord and its Mayor, Council Members, officers, employees and agents of Landlord (collectively, the "**Landlord Parties**") from and against all claims, losses, damages, expenses (including reasonable attorneys' fees), penalties and charges (collectively the "**Losses**") arising from or in connection with any of the following during the Lease Term (i) Tenant's use of the Leased Premises, or (ii) the conduct of Tenant's business, or (iii) any activity, work or things done, permitted or suffered by Tenant in or about the Leased Premises. Tenant shall further indemnify and hold harmless Landlord from and against any and all Losses arising from any default in the performance of any obligation on Tenant's part to be performed under the terms of this Lease, or arising

from any negligence of Tenant, or any of Tenant's agents, contractors, or employees during the Lease Term, and from and against all Losses incurred in the defense of any such claim or any action or proceeding brought thereon. If any action or proceeding be brought against Landlord by reason of any such claim, Tenant, upon notice from Landlord, shall defend the same at Tenant's expense by legal counsel reasonably satisfactory to Landlord. Tenant, as a material part of its consideration to Landlord, hereby assumes all risk of damage to property or injury to persons in or upon the Leased Premises arising from any cause during the Lease Term and Tenant hereby waives all claims in respect thereof against Landlord. Tenant's indemnity is not intended to nor shall it relieve any insurance carrier of its obligations under policies required to be carried by Tenant pursuant to the provisions of this Lease. Tenant's obligations under this Article shall survive any termination of this Lease. The Parties hereto understand and agree that neither this Article nor any other provision of this Lease shall constitute a waiver by Tenant of any protection it has against liabilities or damages or any limitations thereon under Chapter 41 of NRS or other protections or limitations that arise by virtue of Tenant's status as a political body of the State of Nevada, and that Tenant's indemnifications hereunder are limited by and subject to Chapter 41 of NRS

B. The Landlord Parties shall not be liable for any and all Losses arising from or in connection with any damage or injury to the person, business (or any loss of income therefrom), goods, wares, merchandise or other property of Tenant, Tenant, its board members, officers, employees, agents, volunteers, invitees, customers, or any other person in or about the Leased Premises, or any other person claiming under Tenant whether such damage or injury is caused by or results from: (a) fire, steam, electricity, water, gas or rain; (b) the breakage, leakage, obstruction or other defects of pipes, sprinklers, wires, appliances, plumbing, air conditioning or lighting fixtures or any other cause; (c) the failure, delay or diminution in the quality or quantity of any utilities or services supplied to the Leased Premises, (d) inconvenience or annoyance arising from the necessity of repairing any portion of the Leased Premises; (e) the interruption for any reason in the use of the Leased Premises; (f) the destruction of the Leased Premises; or (g) any conditions arising in or about the Leased Premises, or from other sources or places, nor shall any of the same be construed as an eviction of Tenant, nor work an abatement of Rent, nor relieve Tenant from any obligation under this Lease. Without limiting the foregoing, the Landlord Parties shall not be liable for any and all Losses arising from or in connection with the following: (i) any defect or shortcoming in or failure of plumbing, heating or air conditioning or ventilation systems, elevators, electric wiring or installation thereof, water pipes, stairs, railings or walks; (ii) any equipment or appurtenances becoming out of repair; (iii) the bursting, leaking or running of any tubing, radiant panel, fire sprinkler system, electric fixture, valve, fitting, tank, washstand, water closet, waste pipe, drain or other pipe or tank or any other water and/or moisture related release and/or condition and all consequences and/or conditions relating from same, upon or about the Leased Premises; (iv) the backing up of any sewer pipe or downspout; (v) the escape of steam, hot or cold water; (vi) water, snow or ice being upon or coming through the roof of the Leased Premises or any other place upon or near the Leased Premises; (vii) the failing of any fixture, brick, plaster or stucco; (viii) broken glass; (ix) any act or omission of cotenants or other occupants of the Leased Premises; or (x) any act or omission of the Parties (other than Landlord or the Landlord Parties) nor, unless otherwise permitted under this Lease, shall any of the foregoing work an abatement of Rent, nor relieve Tenant from any obligation under this Lease. Landlord shall not be liable for any such damage or injury even though the cause of or the means of repairing such damage or injury are not accessible to Tenant. Tenant shall have no rights whatsoever to offset or deduct against any Rent or any other sums due Landlord under the Lease for any reason whatsoever, including Landlord's default.

C. Indemnity Limitation. Notwithstanding anything in this Lease to the contrary, Landlord shall be liable for, and Tenant shall not be obligated to indemnify and hold the Landlord Parties harmless from and against, any Losses arising from or in connection with any of the foregoing arising prior to the

Commencement Date or by reason of any act, omission or negligence of any of the Landlord Parties.

D. Landlord Indemnification Obligations. Tenant and its Tenant, its board members, officers, employees, and agents (collectively, the "**Tenant Indemnified Parties**") shall not be liable for, and Landlord shall indemnify and hold the Tenant Indemnified Parties harmless from and against, any Losses arising from or in connection with (i) any act, omission or negligence of Landlord or any of its agents, contractors or employees or (ii) any default in the performance of any obligation on Landlord's part to be performed under the terms of this Lease. The Parties hereto understand and agree that neither this Article nor any other provision of this Lease shall constitute a waiver by Landlord of any protection it has against liabilities or damages or any limitations thereon under Chapter 41 of NRS or other protections or limitations that arise by virtue of Landlord's status as a political subdivision of the State of Nevada, and that Landlord's indemnifications hereunder are limited by and subject to Chapter 41 of NRS. If any action or proceeding be brought against any of the Tenant Parties by reason of any such claim, Landlord, upon notice from Tenant, shall defend the same at Landlord's expense by legal counsel reasonably satisfactory to Tenant. Tenant shall have the right to select independent counsel to defend Tenant pursuant to this Article provided that such independent counsel is approved by Landlord (which approval shall not be unreasonably withheld) and that Tenant pays all costs and fees of such independent counsel. Landlord's obligations under this Article shall survive any termination of this Lease.

ARTICLE 8
INSURANCE

8.1. MAINTAIN INSURANCE POLICIES. Tenant shall, at Tenant's expense, maintain in force and effect on the Leased Premises at all times the following insurance or equivalent self-insurance:

A. Commercial general liability insurance against claims for personal injury, bodily injury, death and Leased Premises damage occurring on, in or about the Leased Premises in amounts not less than TWO MILLION DOLLARS ($2,000,000) per occurrence and TWO MILLION DOLLARS ($2,000,000) in the aggregate plus umbrella coverage in an amount not less than TWO MILLION DOLLARS ($2,000,000). Landlord hereby retains the right to periodically review the amount of said liability insurance being maintained by Tenant and to require an increase in the amount of said liability insurance should Landlord deem an increase to be reasonably prudent under then existing circumstances.

B. When required by Applicable Laws, Worker's Compensation and Employer's Liability Insurance covering all persons subject to the workers' compensation laws of the state of Nevada.

8.2. NO PROHIBITED ITEMS OR USE. Tenant agrees that it will not keep, use, sell or offer for sale in or upon the Leased Premises any article or permit any activity which may be prohibited by any standard form of insurance policy or conduct or permit the conduct of any use which violates the terms and conditions of any insurance policy required to be maintained pursuant to this Lease.

8.3. Tenant's Personal Property and fixtures belonging to Tenant shall be placed and remain on the Leased Premises at Tenant's sole risk. Tenant may at its sole discretion keep in force commercial property insurance covering Tenant's Personal Property in the Leased Premises for its full replacement cost against loss or damage by perils covered by Causes of Loss – Special Form Insurance (Commercial Property Coverage Form ISO CP 10 30) or its equivalent, or Tenant will assume the risk of loss of its personal property caused by such perils.

8.4. If Tenant sub-lets or licenses the use of the Leased Premises to a third party, the third party shall provide equivalent insurance as required in this Article.

ARTICLE 9
DAMAGE OR DESTRUCTION OF LEASED PREMISES; CONDEMNATION

9.1. Any damage or destruction to the Leased Premises that is not a result of the negligence or willful misconduct of Tenant shall be promptly repaired by Landlord. If the damage or destruction make the Leased Premises uninhabitable for the Tenant's use contemplated in this Lease, Tenant may terminate this Lease immediately with no further obligation of Tenant.

B. Landlord and Tenant agree that any insurance proceeds payable in connection with damage or destruction of the Leased Premises shall be payable directly to Landlord. Repairs to the Leased Premises shall be at performed by the Landlord at Landlord's sole discretion.

9.2. CONDEMNATION. Should the whole or any part of the Leased Premises be condemned or taken by a competent condemning authority for any public or quasi-public purpose, Tenant and Landlord shall each be entitled to seek recovery of condemnation proceeds for their respective interests in the applicable portion of the Leased Premises, and any fixtures, equipment, or personal property that is taken by the condemning authority. For purposes of this Article, a deed granted in lieu of condemnation shall be deemed a taking. If the whole of the Leased Premises is condemned or taken, then this Lease shall terminate upon the taking of physical occupancy by the condemning authority. If the whole of the Leased Premises is condemned or taken, then this Lease shall terminate as to such Leased Premises. If a part of either the Leased Premises is taken which materially interferes with Tenant's use of the Leased Premises, as applicable, Tenant shall have the option to terminate this Lease with respect to Leased Premises, as applicable, by notifying Landlord of such election in writing within sixty (60) days after such taking. In no event shall a taking terminate this Lease without such notification. If such partial taking does not result in termination of this Lease in its entirety, this Lease shall continue in full force and effect.

ARTICLE 10
DEFAULTS BY TENANT; REMEDIES

10.1. TENANT'S DEFAULT. Each of the following events shall be deemed to be events of default by Tenant under this Lease (each, a "**Tenant Event of Default**" and collectively, "**Tenant Events of Default**"):

A. Tenant fails to pay when or before due any sum of money required to be paid by Tenant under this Lease and such failure continues for thirty (30) days after written notice thereof from Landlord;

B. Except as provided in paragraph (c) next below, Tenant fails to perform or comply with any other term, covenant or condition of this Lease on the part of Tenant to be kept and performed and such default continues for thirty (30) days after written notice thereof from Landlord to Tenant; provided, however, that if the failure complained of in such notice is of such a nature that the same can be rectified or cured, but cannot with reasonable diligence be done within said thirty (30) day period, then such failure shall be deemed to be rectified or cured if Tenant shall, within said thirty (30) day period, commence to rectify and cure the same and shall thereafter complete such rectification and cure with all due diligence but in no event later than one hundred eighty (180) days after such written notice;

C. Tenant makes a representation or warranty in this Lease, or in any certificate, demand, or request made under this Lease, that proves to be incorrect, at any time during the Lease Term, in any material respect and, to the extent the same is susceptible to being cured, such representation or warranty remains incorrect for a period of thirty (30) days after written notice thereof by Landlord to Tenant; provided that if such incorrect representation or warranty complained of in such notice is of such a nature that the same can be rectified or cured, but cannot with reasonable diligence be done within such 30-day

period, then such incorrect representation or warranty shall be deemed to be rectified or cured if Tenant shall, within such 30-day period, commence to rectify and cure the same and shall thereafter complete such rectification and cure with all due diligence;

D. There is filed any petition in bankruptcy by or against Tenant, which petition is not dismissed within ninety (90) days of its filing, or there is appointed a receiver or trustee to take possession of Tenant or of all or substantially all of the assets of Tenant, or there is a general assignment by Tenant for the benefit of creditors, or any action is taken by or against Tenant under any state or federal insolvency or bankruptcy act, or any similar law now or hereafter in effect, including, without limitation, the filing of execution or attachment against Tenant and such levy continues in effect for a period of sixty (60) calendar days; and

E. If Tenant abandons or vacates the Leased Premises for thirty (30) consecutive days of continuous non-use or fails to operate the Leased Premises for the purposes contemplated in this Lease for ninety (90) consecutive days, and such conditions are not caused by the Leased Premises being Damaged or condemned or due to any situation contemplated by Article 13.4.

10.2. REMEDIES. Upon the occurrence of any Tenant Event of Default, Landlord shall, in addition to any other rights or remedies provided for herein or at law or in equity, have the option to pursue any one or more of the following remedies without notice or demand whatsoever:

A. Terminate Tenant's right to possession of the Leased Premises by any lawful means, in which case this Lease shall terminate and Tenant shall immediately surrender possession of the Leased Premises to Landlord, or, if permitted by Applicable Laws, Landlord shall have the right to effect a lock out of Tenant from the Leased Premises, in which event Tenant hereby releases Landlord from any and all damages including, but not limited to, damages related to interruption of Tenant's business.

B. Pursuant to its rights of re-entry, Landlord may, but shall not be obligated to (i) remove all persons from the Leased Premises, and (ii) enforce any rights Landlord may have against said Leased Premises or store any personal property remaining in the Leased Premises in any warehouse or elsewhere at the cost and for the account of Tenant. Tenant agrees to hold Landlord free and harmless of any liability whatsoever for the removal and/or storage of any such Leased Premises, whether of Tenant or any third party whomsoever;

C. Landlord may, without being obligated and without waiving the Tenant Event of Default, cure the Tenant Event of Default, whereupon Tenant shall pay to Landlord, upon demand, all costs, expenses, and disbursements incurred by Landlord to cure the Tenant Event of Default. Landlord shall be permitted to offset said costs, expenses, and disbursements incurred by Landlord against any amounts due or becoming due by Landlord to Tenant under this Lease;

D. In addition, Landlord shall have all other remedies available to Landlord.

10.3. TERMINATION REQUIRES SPECIFIC NOTICE. Anything contained herein to the contrary notwithstanding, Landlord shall not be deemed to have terminated this Lease or the liability of Tenant to pay any Rent or other sum of money accruing hereunder, by any re-entry pursuant to Article 11.2.A and 11.2.B, or by any action in unlawful detainer or otherwise to obtain possession of the Leased Premises, unless Landlord shall specifically notify Tenant in writing that it has so elected to terminate this Lease.

10.4. REMEDIES CUMULATIVE. The various rights, options, elections and remedies of Landlord contained in this Lease shall be cumulative and no one of them shall be construed as exclusive of any other, or of any right, priority or remedy allowed or provided for by law or in equity.

10.5. NO WAIVER. The waiver by Landlord of any breach of this Lease by Tenant shall not be a waiver of any preceding or subsequent breach of this Lease by Tenant. The subsequent acceptance of Rent or any other payment hereunder by Landlord shall not be construed to be a waiver of any preceding breach of this Lease by Tenant. No payment by Tenant or receipt by Landlord of a lesser amount than the Rent herein provided shall be deemed to be other than on account of the earliest Rent due and payable hereunder.

10.6. LEGAL PROCEEDINGS. Tenant shall reimburse Landlord, upon demand, for any costs or expenses incurred by Landlord in connection with (i) any Tenant Event of Default, whether or not suit is commenced or judgment entered or (ii) necessary to protect Landlord's interest under this Lease in a bankruptcy proceeding, or other proceeding under Title 11 of the United States Code, as amended. Such costs shall include legal fees and costs incurred for the negotiation of a settlement, enforcement of rights or otherwise. Furthermore, if any action for a Tenant Event of Default or to enforce the provisions of this Lease is commenced, the court in such action shall award to the party in whose favor a judgment is entered, a reasonable sum as attorneys' fees and costs. Such attorneys' fees and costs shall be paid by the losing party in such action.

ARTICLE 11
LANDLORD'S DEFAULT; REMEDIES

11.1. LANDLORD'S DEFAULT. Each of the following events shall be deemed to be events of default by Landlord under this Lease (each, a "**Landlord Event of Default**", and collectively, "**Landlord Events of Default**"):

A. Landlord fails to pay when or before due any sum of money required to be paid by Landlord under this Lease and such failure continues for thirty (30) days after written notice thereof from Tenant; and

B. Landlord shall fail to perform or comply with any other term, covenant or condition of this Lease on the part of Landlord to be kept and performed and such failure continues for thirty (30) days after written notice thereof from Tenant to Landlord; provided, however, that if the failure complained of in such notice is of such a nature that the same can be rectified or cured, but cannot with reasonable diligence be done within said thirty (30) day period, then such failure shall be deemed to be rectified or cured if Landlord shall, within said thirty (30) day period, commence to rectify and cure the same and shall thereafter complete such rectification and cure with all due diligence; and

C. Landlord makes a representation or warranty in this Lease, or in any certificate, demand, or request made under this Lease, that proves to be incorrect, at any time during the Lease Term, in any material respect and, to the extent the same is susceptible to being cured, such representation or warranty remains incorrect for a period of thirty (30) days after written notice thereof by Tenant to Landlord; provided that if such incorrect representation or warranty complained of in such notice is of such a nature that the same can be rectified or cured, but cannot with reasonable diligence be done within such 30-day period, then such incorrect representation or warranty shall be deemed to be rectified or cured if Landlord shall, within such 30-day period, commence to rectify and cure the same and shall thereafter complete such rectification and cure with all due diligence; and

11.2. TENANT'S REMEDIES. Upon the occurrence of any Landlord Event of Default, Tenant shall, in addition to any other rights or remedies provided for herein or at law or in equity, have the option to pursue any one or more of the following remedies without notice or demand whatsoever:

A. Tenant may, at its election, terminate this Lease by providing notice thereof to Landlord; and

B. Tenant may, without being obligated and without waiving the default, cure the default, whereupon Landlord shall pay to Tenant, upon demand, all costs, expenses, and disbursements incurred by Tenant to cure the default. Tenant shall be permitted to offset said costs, expenses, and disbursements incurred by Tenant against any amounts due or becoming due by Tenant to Landlord under this Lease.

ARTICLE 12
QUIET ENJOYMENT

12.1. Tenant, upon paying the rentals and other payments herein required and upon performance of all of the terms, covenants and conditions of this Lease on its part to be kept, may quietly have, hold and enjoy the Leased Premises during the Lease Term without any disturbance from Landlord or from any other person claiming through Landlord, except as expressly provided otherwise in this Lease.

ARTICLE 13
MISCELLANEOUS

13.1. INCORPORATION OF TERMS. Exhibits referenced herein and attached hereto are incorporated into this Lease by reference and made a part hereof.

13.2. RELATIONSHIP OF THE PARTIES. Nothing contained in this Lease shall be deemed or construed as creating a partnership, joint venture, principal-agent, or employer-employee relationship between Landlord and any other person or entity (including, without limitation, Tenant) or as causing Landlord to be responsible in any way for the debts or obligations of such other person or entity.

13.3. SUCCESSORS AND ASSIGNS. The Parties that all the provisions of this Lease are to be construed as covenants and agreements and, except as otherwise specified, that said provisions shall bind and inure to the benefit of the Parties and their respective heirs, legal representatives, and permitted successors and assigns.

13.4. FORCE MAJEURE. The occurrence of any of the following events shall excuse such obligations of Landlord or Tenant as are thereby rendered impossible or reasonably impracticable for so long as such event continues: strikes; lockouts; labor disputes; acts of God; inability to obtain labor, materials or reasonable substitutes therefor; governmental restrictions, regulations or controls; judicial orders; enemy or hostile governmental action; civil commotion; fire or other casualty; and other causes beyond the reasonable control of the party obligated to perform (excluding financial inability or hardship). Notwithstanding the foregoing, the occurrence of such events shall not excuse Tenant obligations to pay Rent or excuse such obligations as this Lease may otherwise impose on the party to obey, remedy, or avoid such event.

13.5. NO WAIVER. A waiver of any given breach or default shall not be a waiver of any other breach or default. The City's consent to or approval of any act by the Tenant's requiring Landlord's consent or approval shall not be deemed to waive or render unnecessary Landlord's consent to or approval of any subsequent similar act by Tenant.

13.6. NOTICE. All notices required or permitted under this Lease shall be given in writing and shall be deemed effectively given (a) upon personal delivery to the party to be notified, (b) three (3) days after deposit with the United States Post Office, by registered or certified mail, postage prepaid and addressed to the party to be notified at the address for such party, (c) one (1) day after deposit with a nationally recognized air courier service such as FedEx; or (d) an electronic record sent by e-mail pursuant to NRS 719.240. Either party hereto may change its address by giving ten (10) days advance notice to the other party as provided herein. Phone and fax numbers, if listed, are for information only.

To Landlord:	Attn: Real Estate Administrator City of Las Vegas Department of Operations and Maintenance 333 North Rancho Drive, 8th Floor Las Vegas, Nevada 89106
with copy to:	Attn: City Manager City of Las Vegas City Manager's Office 495 S. Main Street, 6th Floor Las Vegas, NV 89101
with copy to:	Attn: City Attorney City of Las Vegas City Attorney's Office 495 S. Main Street, 6th Floor Las Vegas, NV 89101
To Tenant:	Attention: Director, Economic and Urban Development 495 South Main Street, 6th Floor Las Vegas, NV 89101

13.7. RECORDING. Tenant shall not record this Lease or a memorandum thereof without the written consent of Landlord. Landlord, at its option and at any time, may file this Lease for record with the Clark County Recorder's Office in its sole discretion.

13.8. SEVERABILITY. It is agreed that, if any provision of this Lease shall be determined to be void by any court of competent jurisdiction, then such determination shall not affect any other provision of this Lease and all such other provisions shall remain in full force and effect. It is the intention of the parties hereto that, if any provision of this Lease is capable of two (2) constructions, one of which would render the provision void and the other of which would render the provision valid, then the provision shall have the meaning which renders it valid.

13.9. GOVERNING LAW; VENUE; WAIVER OF JURY TRIAL. The laws of the State of Nevada shall govern the validity, construction, performance and effect of this Lease, without giving effect to its conflict of law provisions. Each party hereto consents to, and waives any objection to, Clark County, Nevada as the proper and exclusive venue for any disputes arising out of or relating to this Lease or any alleged breach thereof. Landlord and Tenant hereby waive trial by jury in any action, proceeding or counterclaim brought by either of them against the other on any matters whatsoever arising out of or in any way connected with this Lease, the relationship of Landlord and Tenant, Tenant's use or occupancy of the Leased Premises, and/or any claim of injury or damage.

13.10. ENTIRE AGREEMENT. It is understood that there are no oral or written agreements or representations between the parties hereto affecting this Lease, and that this Lease supersedes and cancels any and all previous negotiations, arrangements, representations, brochures, displays, projections, estimates, agreements and understandings, if any, made by or between Landlord and Tenant with respect to the subject matter thereof, and none shall be used to interpret, construe, supplement or contradict this Lease. This Lease, and all amendments and exhibits thereto, is and shall be considered to be the only agreement between the parties hereto and their representatives and agents. All negotiations and oral agreements acceptable to both parties have been merged into and are included in this Lease. There are no other representations, covenants or warranties between the parties and all reliance with respect to

representations is solely upon the express representations, covenants and warranties contained in this Lease. The parties agree that any deletion of language from this Lease prior to its mutual execution by Landlord and Tenant shall not be construed to have any particular meaning or to raise any presumption, canon of construction or implication, including, without limitation, any implication that the parties intended thereby to state the converse, obverse or opposite of the deleted language.

13.11. CAPTIONS; INTERPRETATION. The captions and article numbers appearing herein are for convenience only, are not operative parts of this Lease and do not in any way limit or amplify the terms and provisions of this Lease. Masculine or feminine pronouns shall be substituted for the neuter form and vice versa, and the plural shall be substituted for the singular form and vice versa, in any place or places herein in which the context requires such substitution(s). Whenever in this Lease any words of obligations or duty are used in connection with either party, such words shall have the same force and effect as though framed in the form of express covenants on the part of the party obligated. This Lease shall not be construed either for or against Landlord or Tenant, but this Lease shall be interpreted in accordance with the general tenor of its language

13.12. THIRD PARTIES. Nothing in this Lease, expressed or implied, is intended to confer upon any person, including, without limitation, any entity, other than the parties hereto any rights or remedies under or by reason of this Lease.

13.13. CONSENT OF THE PARTIES. Wherever in this Lease consent or approval is required, such consent or approval shall be given in writing and shall not be unreasonably withheld, conditioned or delayed, unless otherwise expressly provided; provided, however, that Tenant acknowledge that, for so long as Landlord is a governmental agency, any consent or approval required of Landlord under this Lease, may require Landlord to first follow normal governmental processes, including, to the extent applicable, public notice and a public hearing.

13.14. NON-DISCRIMINATION. Tenant promises, and it is a condition to the continuance of this Lease, that there will be no discrimination against, or segregation of, any person or group of persons on the basis of race, color, sex, sexual orientation, gender identity or expression, creed, national origin, or ancestry in the leasing, subleasing, transferring, occupancy, tenure or use of the Leased Premises or any portion thereof.

13.15. AMENDMENT OR MODIFICATION. Upon approval of this Lease by the City Council and after it has been fully executed by signature of all Parties, the Real Estate Administrator shall have the authority to complete and execute any additional documents necessary for the completion of the intent of this contractual obligation during the term of this Lease. This may include amendments, changes of address, adjustments to monetary revenue or expenditures not to exceed TEN THOUSAND DOLLARS ($10,000), filing and recording of appropriate documents with the County Recorder's Office or the County Tax Assessor's Office, and recordings and filing with the City Clerk's Office.

13.16. COUNTERPARTS; ELECTRONIC DELIVERY. This Lease may be executed in counterparts, and all such counterparts will constitute the same contract and the signature of any party to any counterpart will be deemed a signature to, and may be appended to, any other counterpart. Executed copies hereof may be delivered by facsimile or e-mail, pursuant to NRS 719.240, and upon receipt will be deemed originals and binding upon the Parties hereto, regardless of whether originals are delivered thereafter.

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13.17. TIME IS OF THE ESSENCE Time is of the essence in the performance of all covenants and conditions in this Lease for which time is a factor.

IN WITNESS WHEREOF, the Parties have executed this Lease as of the Effective Date as defined herein.

CITY OF LAS VEGAS

By: _____
Carolyn G. Goodman, Mayor

ATTEST:

By: _____
LuAnn D. Holmes, MMC, City Clerk

APPROVED AS TO FORM:

By: John S. Ridilla 7/2/19
Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

[LEFT BLANK INTENTIONALLY AND SIGNATURES CONTINUED ON NEXT PAGE]

LAS VEGAS REDEVELOPMENT AGENCY

By: _____
Carolyn G. Goodman, Chair

ATTEST:

By: _____
LuAnn D. Holmes, MMC, Secretary

APPROVED AS TO FORM:

By: John S. Ridilla 7/2/19
Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

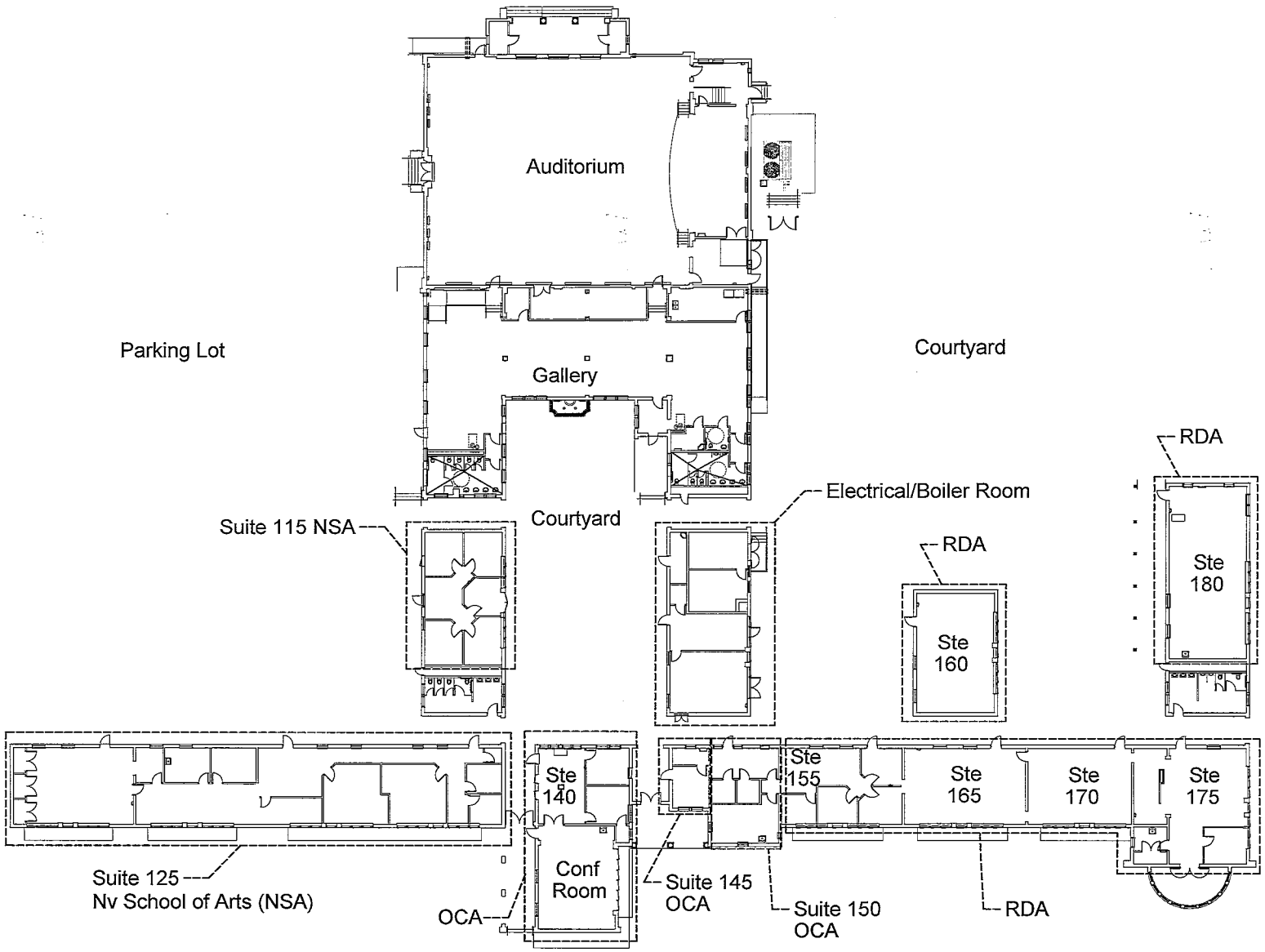
LIST OF EXHIBITS

EXHIBIT A .....DEPICTION OF LEASED PREMISES

EXHIBIT A

DEPICTION OF LEASED PREMISES

[SEE ATTACHED]



5th Street School - Overall Floor Plan

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
24

DEPARTMENT: Planning **CONSENT**
DIRECTOR: Robert Summerfield

SUBJECT:
For possible action to approve a New Compliance Permit for a Retail Marijuana Store for NEVADA ORGANIC REMEDIES, LLC dba THE SOURCE at 1725 South Rainbow Boulevard, Suite #21 - Ward 1 (Knudsen)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
For possible action to approve a New Compliance Permit for a Retail Marijuana Store.

RECOMMENDATION:
Staff recommends APPROVAL, subject to the following conditions:
1. Must secure and/or maintain a current State Conditional License.
2. Plans must be reviewed and approved by the Director prior to consideration of a business license.
3. Compliance Permit to expire 07/17/2020.

BACKUP DOCUMENTATION:
1. Ownership
2. Location Map
3. Submitted after Final Agenda – Revised Location Map

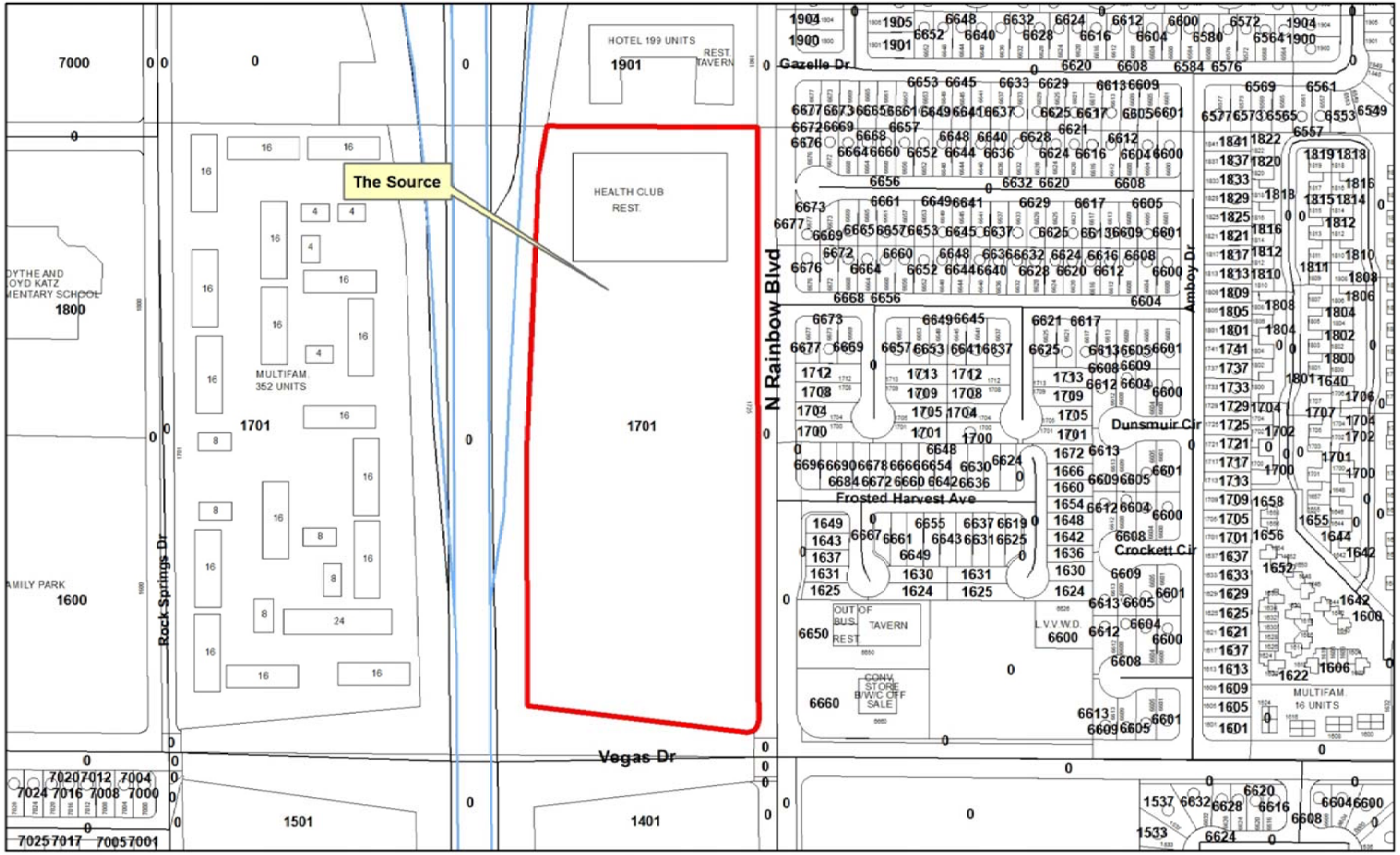
City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: For possible action to approve a New Compliance Permit for a Retail Marijuana Store for NEVADA ORGANIC REMEDIES, LLC dba THE SOURCE at 1725 South Rainbow Boulevard, Suite #21 - Ward 1 (Knudsen)

OWNERSHIP:

NEVADA ORGANIC REMEDIES, LLC
Bridge Group Investments, LLC
Andrew Jolley, Managing Member
Stephen Byrne, Member
Patrick Byrne, Member
Darren Petersen, Managing Member
Joey Schottenstein, Manager
Ben Kraner, Manager
Harvest Dispensaries, Cultivation, & Kitchen Consultants, LLC, Member
Liesl Sicz, Managing Member
GGB Nevada, LLC, Member
Green Growth Brands, Inc., Managing Member
Igor Galitsky, President
Timothy Moore, Director
David Bhumgara, Secretary, Treasurer
Carli Posner, Director
Jean Schottenstein, Board Member
Peter Horvath, Board Member
Marc Lehmann, Board Member
Stephen Stoute, Board Member



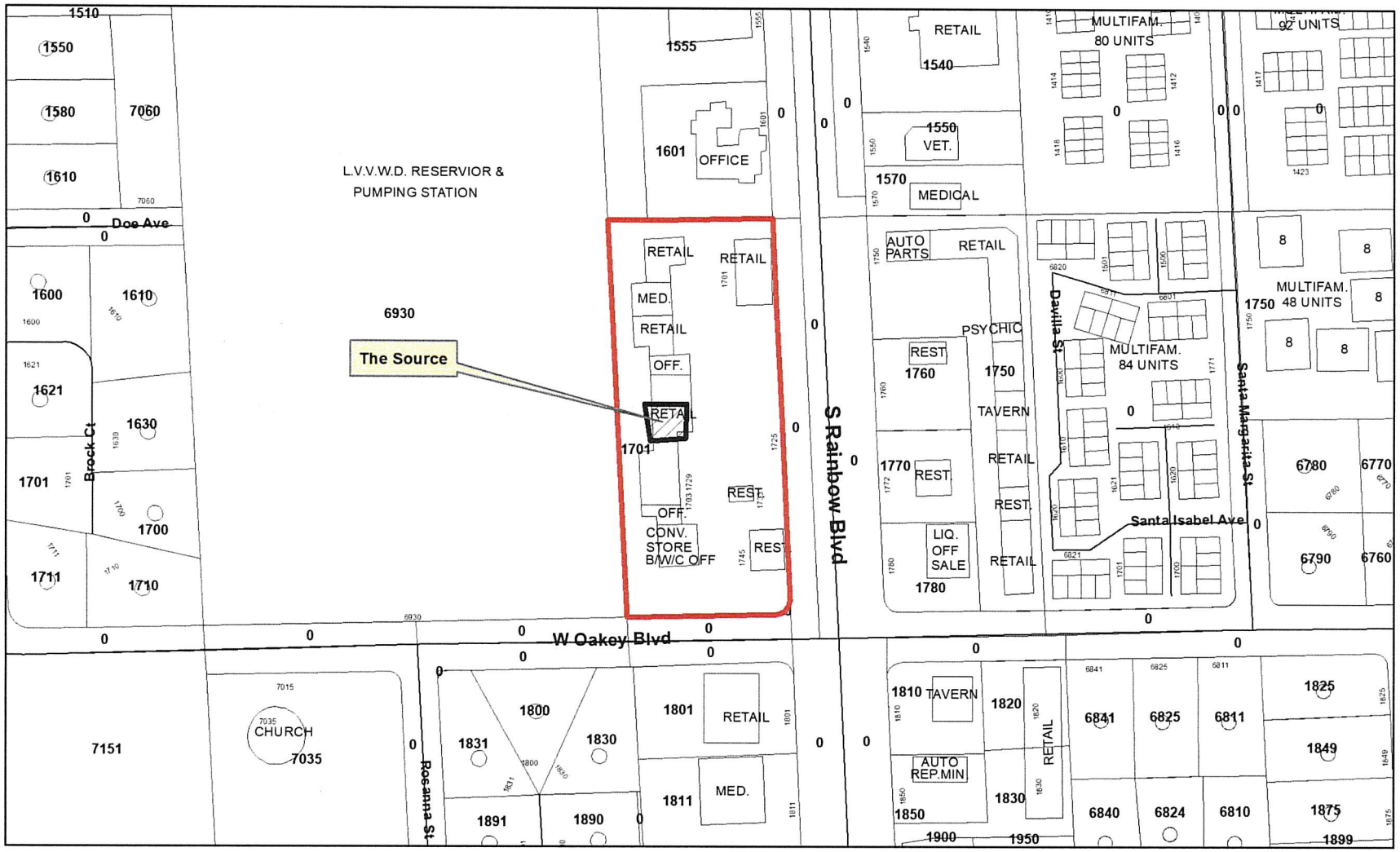
The Source
1725 South Rainbow Boulevard, Suite #21
Ward 1

Freeways
Subject Property
City Limits
Site Location

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Tuesday, June 25, 2019



The Source
1725 South Rainbow Boulevard Suite #21
Ward 1

Freeways
Subject Property
City Limits
Site Location

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Monday, July 15, 2019

Submitted after final agenda
Item 34
Rcvd Date: 7/15/19

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
25

DEPARTMENT: Planning **CONSENT**
DIRECTOR: Robert Summerfield

SUBJECT:
For possible action to approve a Marijuana Production Establishment License (Medical/Recreational) for GTI NEVADA, LLC dba GTI NEVADA, LLC at 3130 North Deer Run Road - Carson City, Nevada

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
For possible action to approve a Marijuana Production Establishment License (Medical/Recreational).

RECOMMENDATION:
Staff recommends APPROVAL, subject to the following condition:

1. This license is only valid with an active license for the same activity, ownership, and location from the primary local licensing jurisdiction.

BACKUP DOCUMENTATION:
1. Ownership
2. Location Map

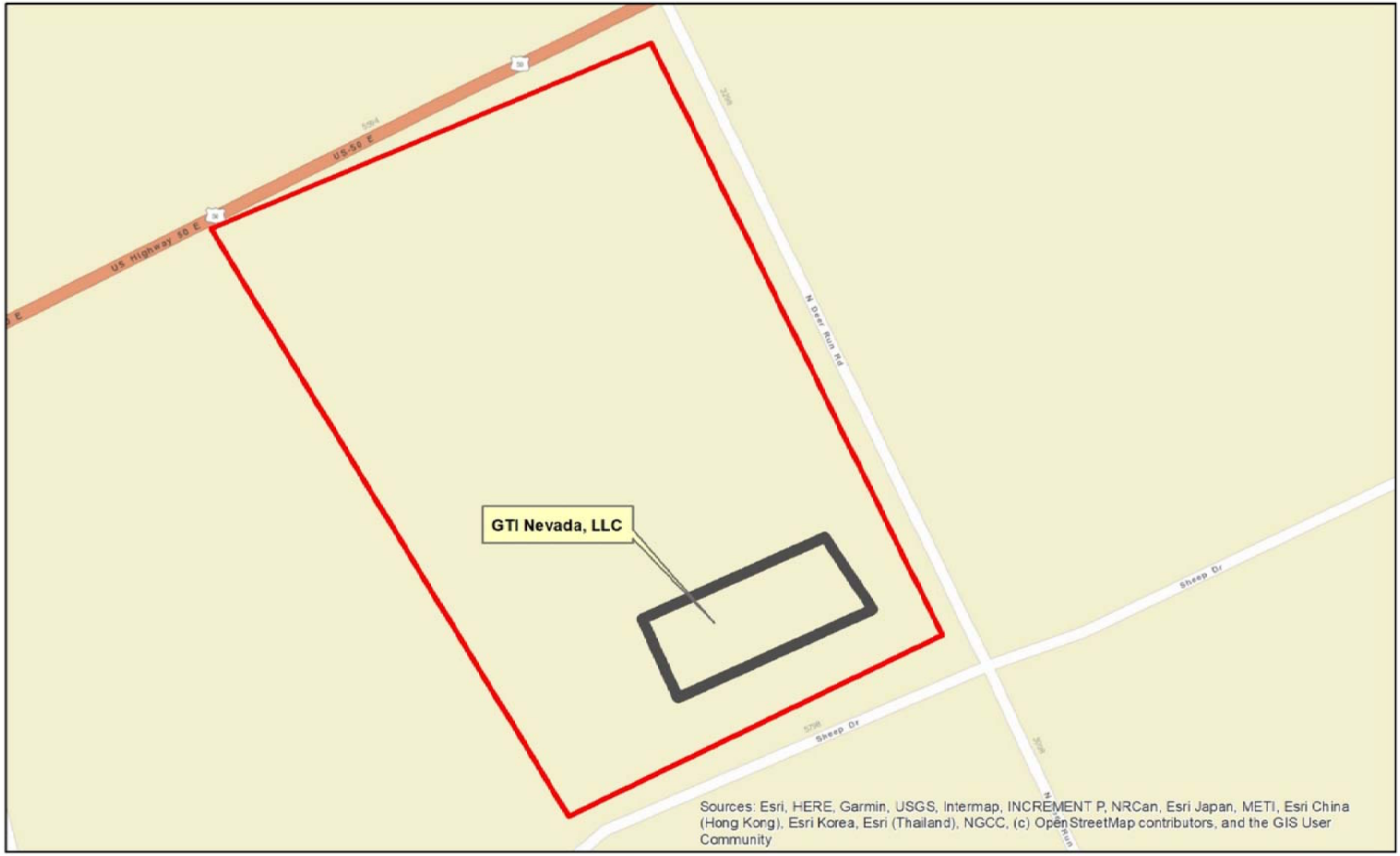
City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: For possible action to approve a Marijuana Production Establishment License (Medical/Recreational) for GTI NEVADA, LLC dba GTI NEVADA, LLC at 3130 North Deer Run Road – Carson City, Nevada

OWNERSHIP:

GTI NEVADA, LLC
GTI Core, LLC, Managing Member
Benjamin Kovler, Manager
Peter Kadens, Manager
Anthony Georgiadis, Manager
Andy Grossman, Manager
VCP23, LLC, Member
Benjamin Kovler, Manager
Peter Kadens, Manager
Anthony Georgiadis, Manager
Andy Grossman, Manager
GT123, Inc., Member
Benjamin Kovler, President, Director, Secretary, Shareholder
Anthony Georgiadis, Director
Andy Grossman, Director
Green Thumb Industries, Inc., Shareholder
Benjamin Kovler, President, Chief Executive Officer
Anthony Georgiadis, Director, Chief Executive Officer
Wendy Berger, Director
Glen Senk, Director
Wes Moore, Director
Jennifer Dooley, Chief Strategy Officer



GTI Nevada, LLC
3130 North Deer Run Road
Carson City, Nevada

Freeways
Subject Property
City Limits
Site Location

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-329-6301

Date: Wednesday, June 19, 2019

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
26

DEPARTMENT: Planning **CONSENT**
DIRECTOR: Robert Summerfield

SUBJECT:
For possible action to approve a Marijuana Cultivation Establishment License (Medical/Recreational) for HELIOS NV, LLC dba HELIOS NV at 800 Stillwell Avenue, Suite #60 - Reno, Nevada

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
For possible action to approve a Marijuana Cultivation Establishment License (Medical/Recreational).

RECOMMENDATION:
Staff recommends APPROVAL, subject to the following condition:
1. This license is only valid with an active license for the same activity, ownership, and location from the primary local licensing jurisdiction.

BACKUP DOCUMENTATION:
1. Ownership
2. Location Map

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: For possible action to approve a Marijuana Cultivation Establishment License (Medical/Recreational) for HELIOS NV, LLC dba HELIOS NV at 800 Stillwell Avenue, Suite #60 – Reno, Nevada

OWNERSHIP:

HELIOS NV, LLC
Hydrovize International, Inc., Manager
West H. Plischke, Chief Executive Officer, President, Treasurer, Director, Shareholder
Auragen, LLC, Member
West H. Plischke, Member
Kiera Sears, Member
Caleb Putnam, Member
Orlando Padilla, Member
Abraam Mikhael, Member
Christian Klump, Member
Christopher Hicks, Member
Arturo Rodriguez, Member
Aurelio Carlos, Jr., Member
Yvonne Bin, Member
Desert Shadows, LLC, Member
Hans Heller, Managing Member
Hydrophil, LLC, Member
Johanna Thidling, Managing Member
The Irene Howard Business Entity Revocable Living Trust-2015, Member
Irene Howard, Trustee
Hydrovize International, Inc., Manager
West H. Plischke, Chief Executive Officer, President, Treasurer, Director, Shareholder



Helios NV
800 Stillwell Avenue, Suite #60
Reno, Nevada

Freeways
Subject Property
City Limits
Site Location

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
775-329-6301

Date: Wednesday, June 19, 2019

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
27

DEPARTMENT: Planning **CONSENT**
DIRECTOR: Robert Summerfield

SUBJECT:
For possible action to approve a Marijuana Cultivation Establishment License (Medical/Recreational) for NLV WELLNESS, LLC dba ETHCX at 41 West Mayflower Avenue - North Las Vegas, Nevada

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
For possible action to approve a Marijuana Cultivation Establishment License (Medical/Recreational).

RECOMMENDATION:
Staff recommends APPROVAL, subject to the following condition:
1. This license is only valid with an active license for the same activity, ownership, and location from the primary local licensing jurisdiction.

BACKUP DOCUMENTATION:
1. Ownership
2. Location Map

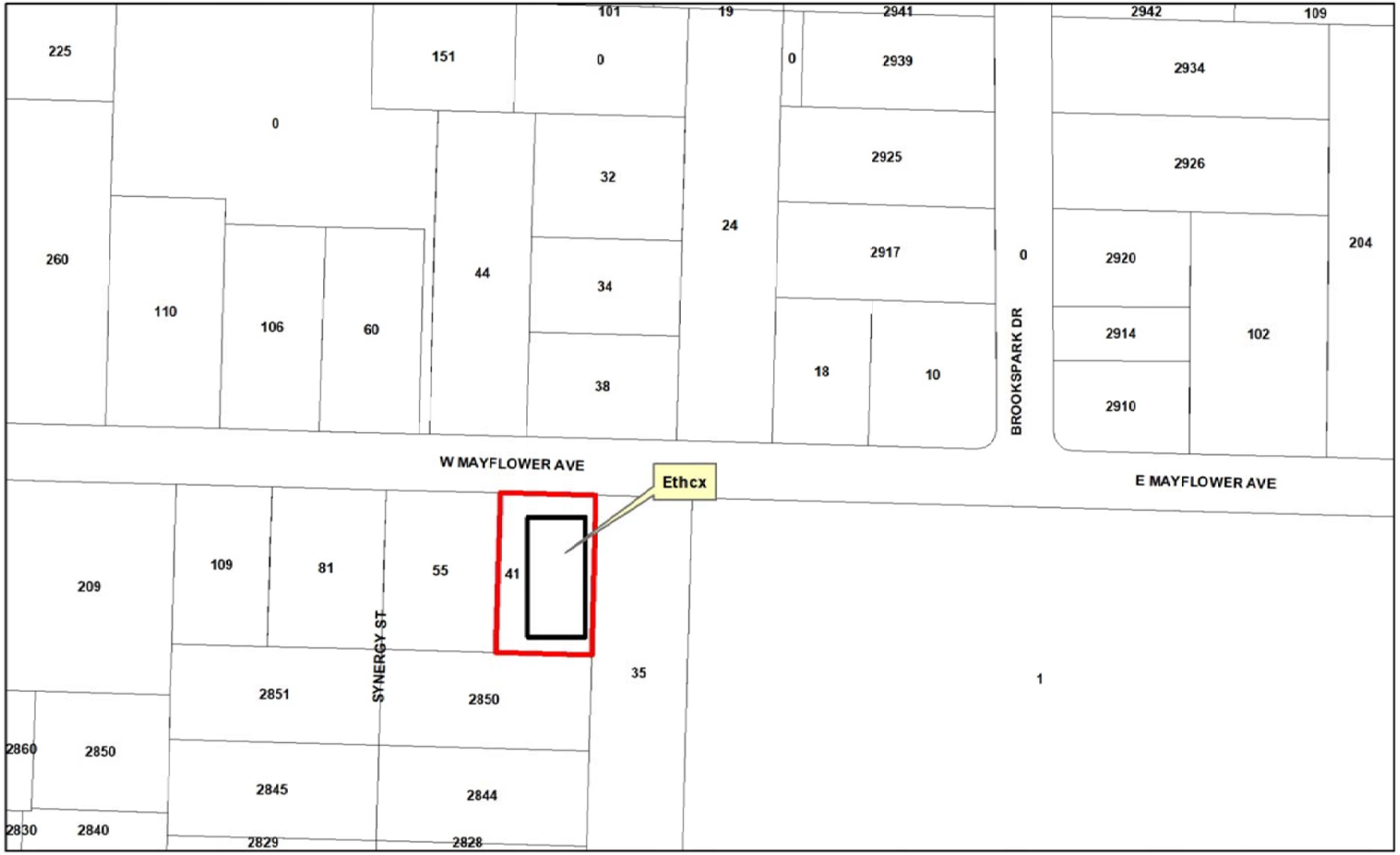
City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: For possible action to approve a Marijuana Cultivation Establishment License (Medical/Recreational) for NLV WELLNESS, LLC dba ETHCX at 41 West Mayflower Avenue – North Las Vegas, Nevada

OWNERSHIP:

NLV WELLNESS, LLC
Salman Ali, Managing Member
Mohammed Saeed, Member
Linda Palmatier, Member
David Palmatier, Member



Ethcx
41 West Mayflower Avenue
North Las Vegas, Nevada

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
28

DEPARTMENT: Planning **CONSENT**
DIRECTOR: Robert Summerfield

SUBJECT:
For possible action to approve a Liquor Manufacturer License for 7FIVE BREWING CO, LLC dba 7FIVE BREWING CO, LLC at 1510 South Main Street - Ward 3 (Diaz)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
For possible action to approve a Liquor Manufacturer License.

RECOMMENDATION:
Staff recommends APPROVAL, subject to City of Las Vegas Fire Department, City of Las Vegas Building Department, Southern Nevada Health District and the Nevada Department of Taxation approvals.

BACKUP DOCUMENTATION:
1. Ownership
2. Location Map

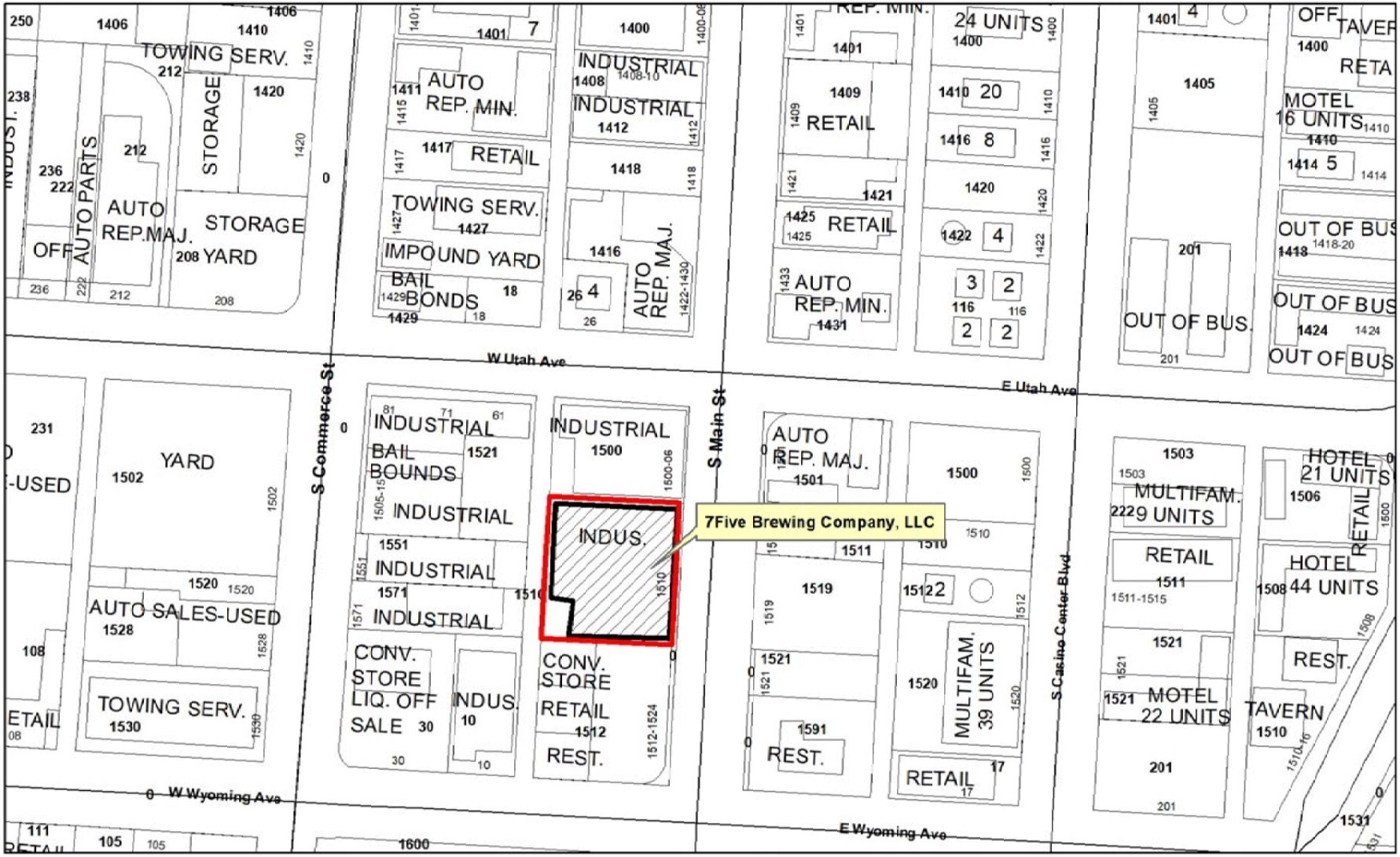
City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: For possible action to approve a Liquor Manufacturer License for 7FIVE BREWING CO, LLC dba 7FIVE BREWING CO, LLC at 1510 South Main Street - Ward 3 (Diaz)

OWNERSHIP:

7FIVE BREWING CO, LLC
Ryan Reaves, Manager
Grim Reaver, LLC, Member
Ryan Reaves, Managing Member



Freeways
Subject Property
City Limits
Site Location

7Five Brewing Company, LLC
1510 South Main Street
Ward 3

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
703-229-6301

Date: Tuesday, June 25, 2019

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
29

DEPARTMENT: Planning **CONSENT**
DIRECTOR: Robert Summerfield

SUBJECT:
For possible action to approve an Ancillary Brew Pub License for ABLE BAKER BREWING COMPANY, LLC dba ABLE BAKER BREWING COMPANY at 1510 South Main Street - Ward 3 (Diaz)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
For possible action to approve an Ancillary Brew Pub License.

RECOMMENDATION:
Staff recommends APPROVAL, subject to City of Las Vegas Fire Department, City of Las Vegas Building Department, Southern Nevada Health District and the Nevada Department of Taxation approvals.

BACKUP DOCUMENTATION:
1. Ownership
2. Location Map

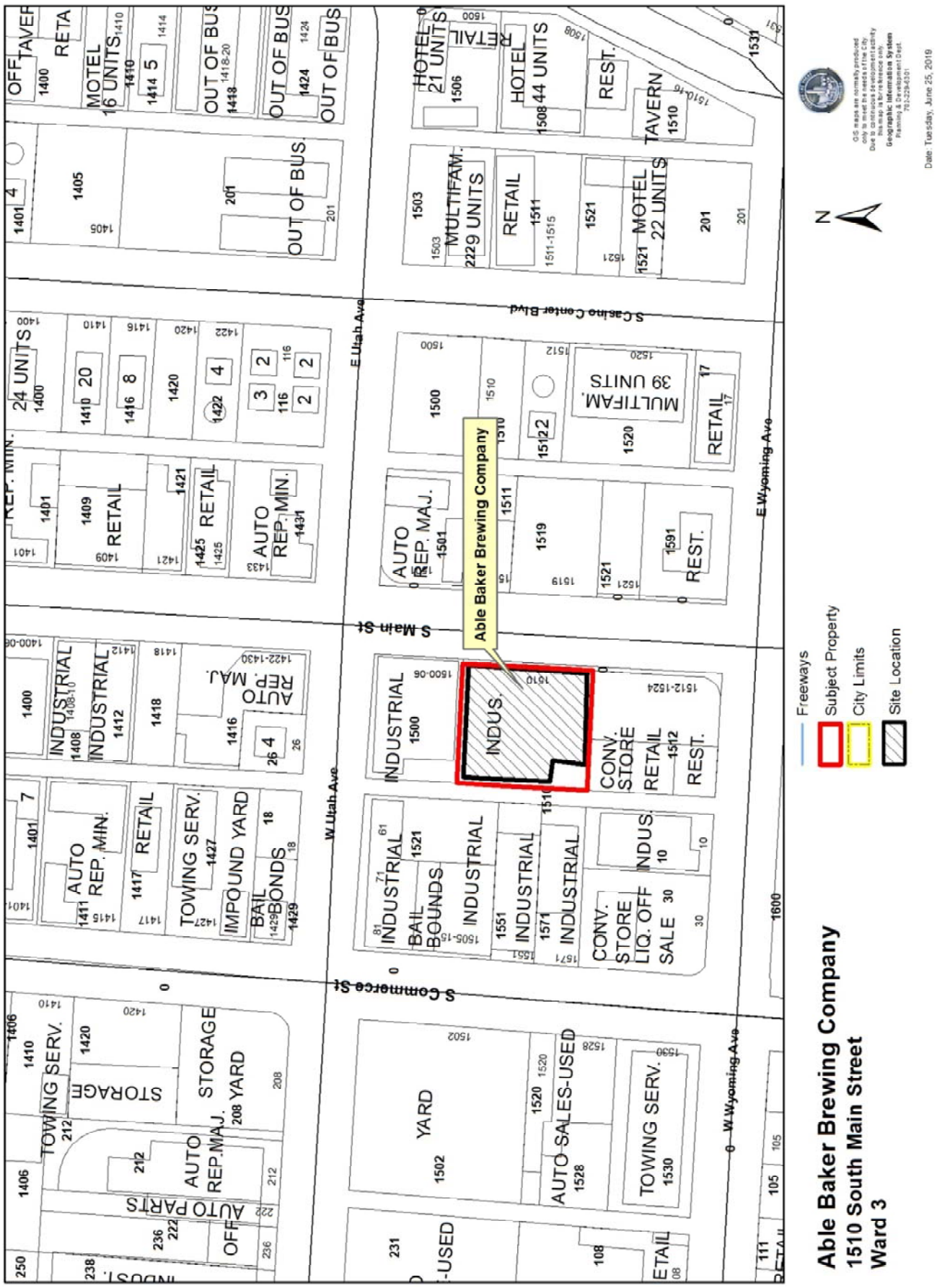
City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: For possible action to approve an Ancillary Brew Pub License for ABLE BAKER BREWING COMPANY, LLC dba ABLE BAKER BREWING COMPANY at 1510 South Main Street - Ward 3 (Diaz)

OWNERSHIP:

ABLE BAKER BREWING COMPANY, LLC
Randy Rohde, Managing Member
James Manos, Managing Member
David Duckwitz, Member
Paul Schraeder, Member
Knock Knock, LLC, Member
Shelby Howard, Managing Member
Leilani Armstrong, Managing Member



Able Baker Brewing Company
1510 South Main Street
Ward 3

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
30

DEPARTMENT: Planning **CONSENT**

DIRECTOR: Robert Summerfield

SUBJECT:
For possible action to approve a Beer Wine Room License for ABLE BAKER BREWING COMPANY, LLC dba ABLE BAKER BREWING COMPANY at 1510 South Main Street - Ward 3 (Diaz)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
For possible action to approve a Beer Wine Room License.

RECOMMENDATION:
Staff recommends APPROVAL, subject to City of Las Vegas Fire Department, City of Las Vegas Building Department, and Southern Nevada Health District approvals.

BACKUP DOCUMENTATION:
1. Ownership
2. Location Map

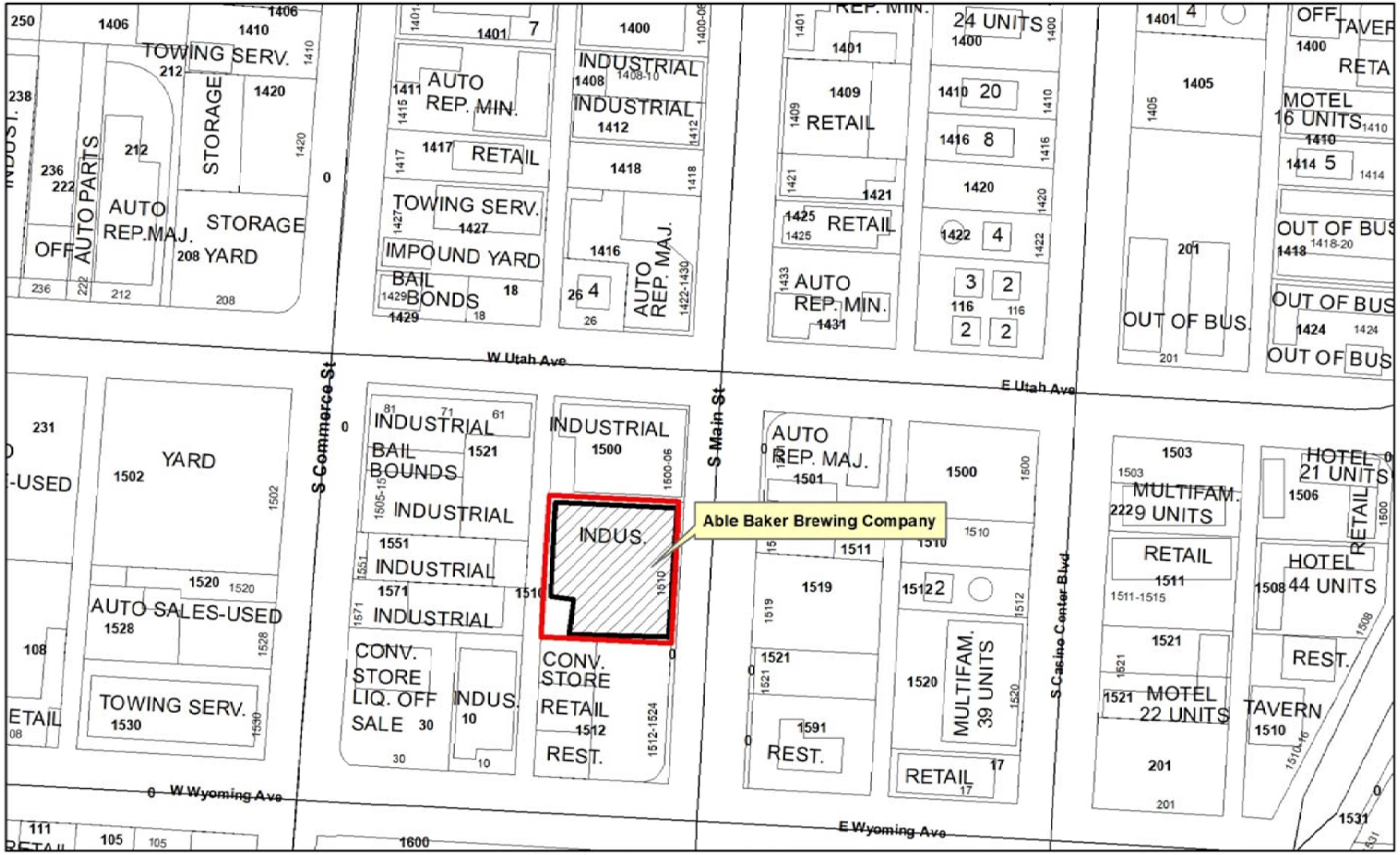
City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: For possible action to approve a Beer Wine Room License for ABLE BAKER BREWING COMPANY, LLC dba ABLE BAKER BREWING COMPANY at 1510 South Main Street - Ward 3 (Diaz)

OWNERSHIP:

ABLE BAKER BREWING COMPANY, LLC
Randy Rohde, Managing Member
James Manos, Managing Member
David Duckwitz, Member
Paul Schraeder, Member
Knock Knock, LLC, Member
Shelby Howard, Managing Member
Leilani Armstrong, Managing Member



Able Baker Brewing Company
1510 South Main Street
Ward 3

Freeways
Subject Property
City Limits
Site Location

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Tuesday, June 25, 2019

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
31

DEPARTMENT: Planning **CONSENT**

DIRECTOR: Robert Summerfield

SUBJECT:
For possible action to approve a Package License for a Change of Ownership FROM: STOP N SHOP 5 OPERATOR, LLC TO: TERRIBLE HERBST, INC. dba TERRIBLE'S #383 at 6660 Vegas Drive - Ward 5 (Crear)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
For possible action to approve a Package License for a Change of Ownership.

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Ownership
2. Location Map

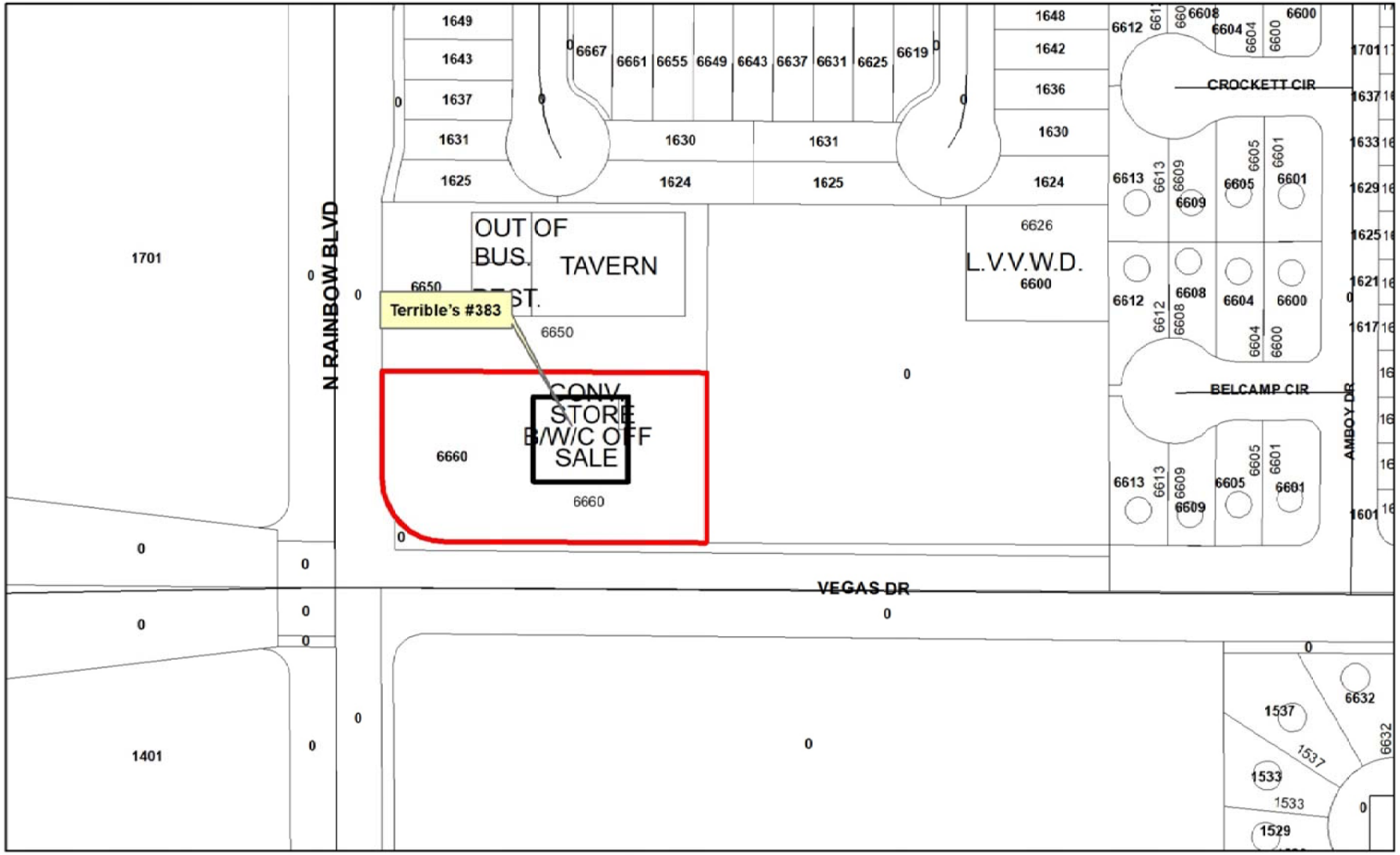
City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: For possible action to approve a Package License for a Change of Ownership FROM: STOP N SHOP 5 OPERATOR, LLC TO: TERRIBLE HERBST, INC. dba TERRIBLE'S #383 at 6660 Vegas Drive - Ward 5 (Crear)

OWNERSHIP:

TERRIBLE HERBST, INC.
Herbst Family Trust, Shareholder
Jerry Herbst, Trustee
Maryanna Herbst, Trustee
Timothy P. Herbst, President, Secretary
Maryanna Herbst, Director
Troy Herbst, Treasurer
Michael Roop, Director



Terrible's #383
6660 Vegas Drive
Ward 5

Freeways
Subject Property
City Limits
Site Location

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Wednesday, June 19, 2019

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
32

DEPARTMENT: Planning **CONSENT**

DIRECTOR: Robert Summerfield

SUBJECT:
For possible action to approve a Package License for a Change of Ownership FROM: STOP N SHOP 3 OPERATOR, LLC TO: TERRIBLE HERBST, INC. dba TERRIBLE'S #384 at 7600 Westcliff Drive - Ward 2 (Seaman)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
For possible action to approve a Package License for a Change of Ownership.

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Ownership
2. Location Map

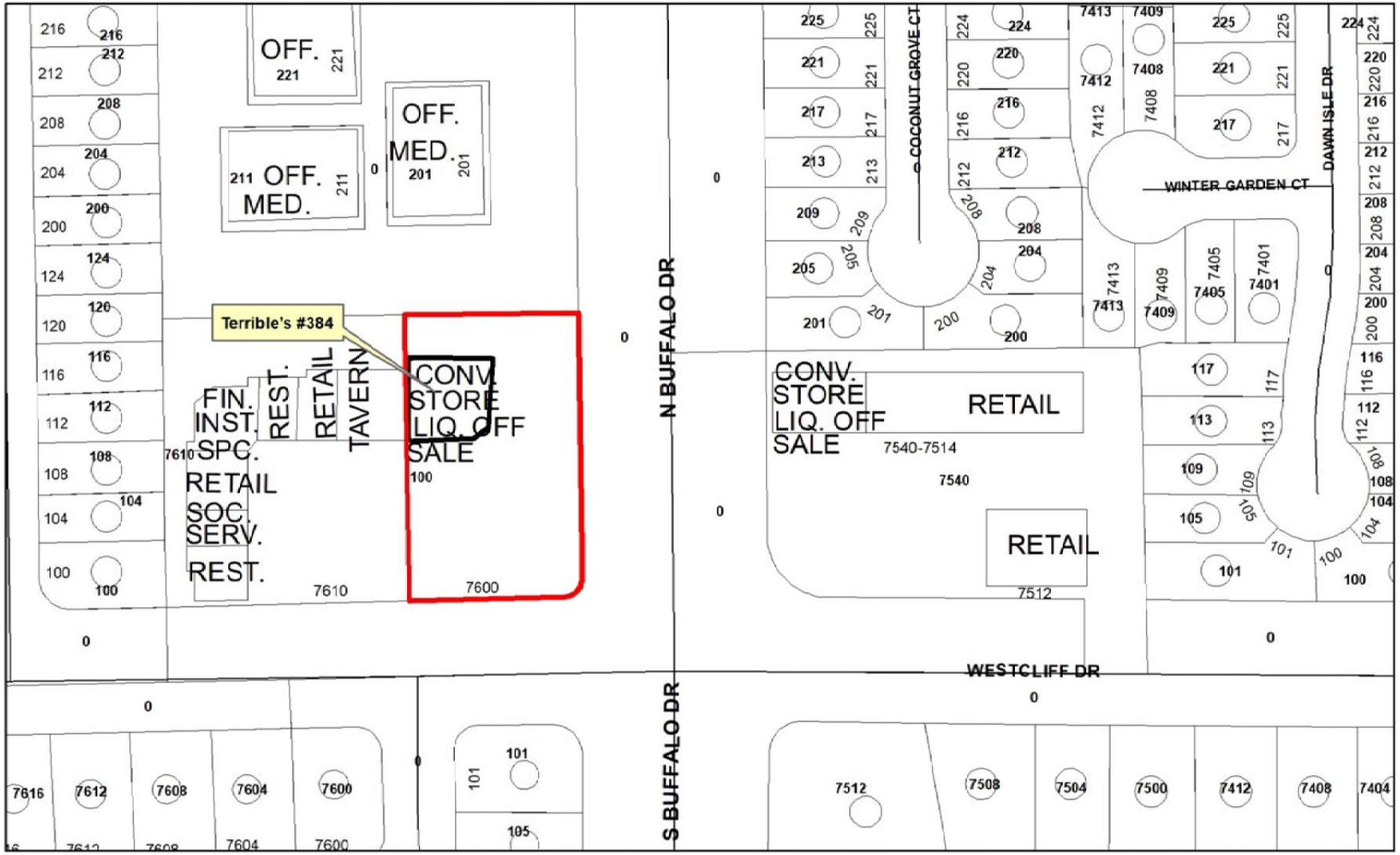
City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: For possible action to approve a Package License for a Change of Ownership FROM: STOP N SHOP 3 OPERATOR, LLC TO: TERRIBLE HERBST, INC. dba TERRIBLE'S #384 at 7600 Westcliff Drive - Ward 2 (Seaman)

OWNERSHIP:

TERRIBLE HERBST, INC.
Herbst Family Trust, Shareholder
Jerry Herbst, Trustee
Maryanna Herbst, Trustee
Timothy P. Herbst, President, Secretary
Maryanna Herbst, Director
Troy Herbst, Treasurer
Michael Roop, Director



Terrible's #384
7600 Westcliff Drive
Ward 2

Freeways
Subject Property
City Limits
Site Location

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Wednesday, June 19, 2019

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
33

DEPARTMENT: Planning **CONSENT**
DIRECTOR: Robert Summerfield

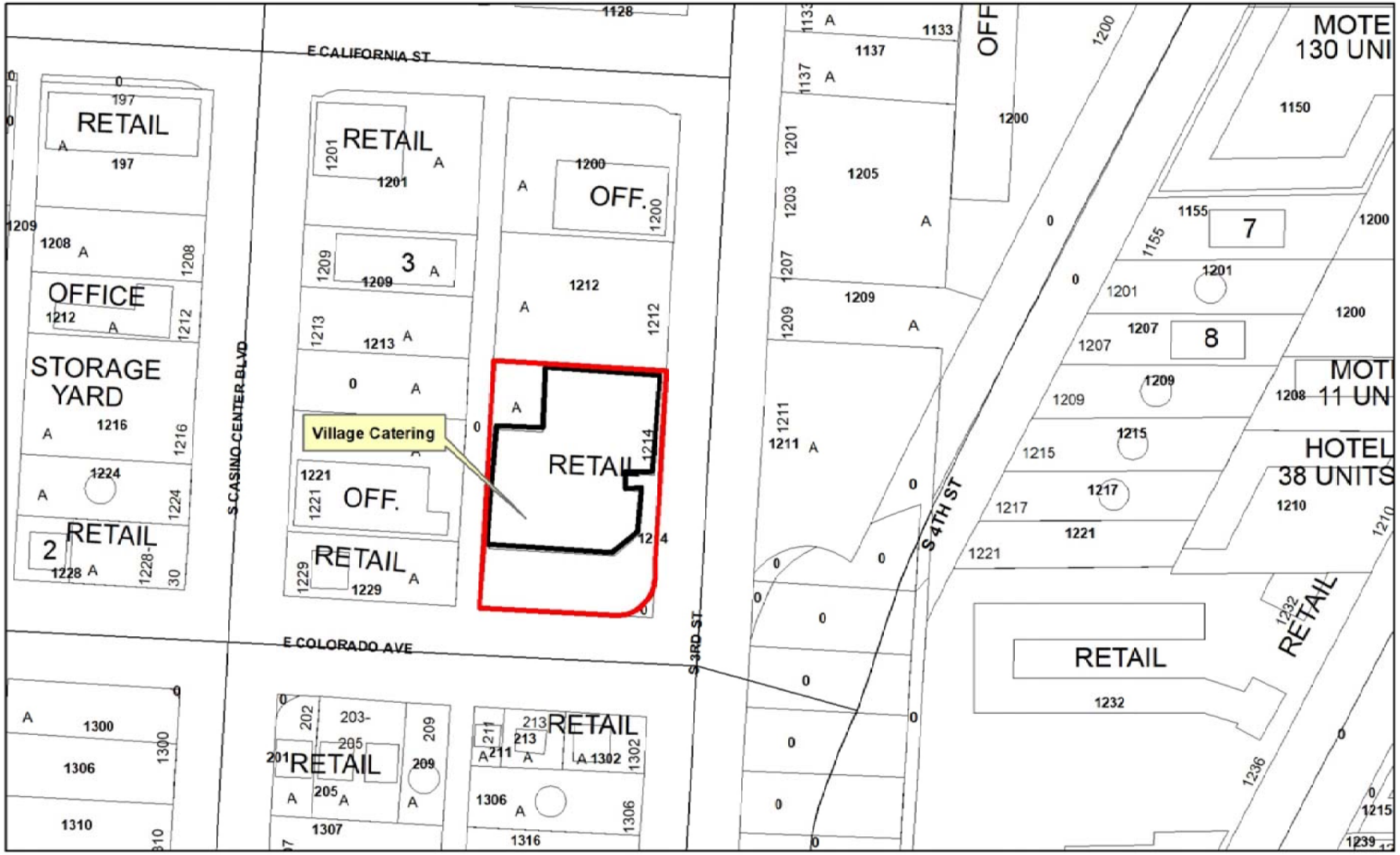
SUBJECT:
For possible action to approve a Temporary Alcoholic Beverage Caterer License for VILLAGE HOSPITALITY FURNISHINGS, INC. dba VILLAGE CATERING at 1214 South Third Street [David Litvak, President, Secretary, Treasurer, Director, Shareholder] - Ward 3 (Diaz)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
For possible action to approve a Temporary Alcoholic Beverage Caterer License.

RECOMMENDATION:
Staff recommends approval of a temporary alcoholic beverage caterer license with the authority of the Director or designee to issue a permanent license upon receipt of a favorable investigative report.

BACKUP DOCUMENTATION:
1. Location Map



Village Catering
1214 South Third Street
Ward 3

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Wednesday, June 19, 2019

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
34

DEPARTMENT: Planning **CONSENT**
DIRECTOR: Robert Summerfield

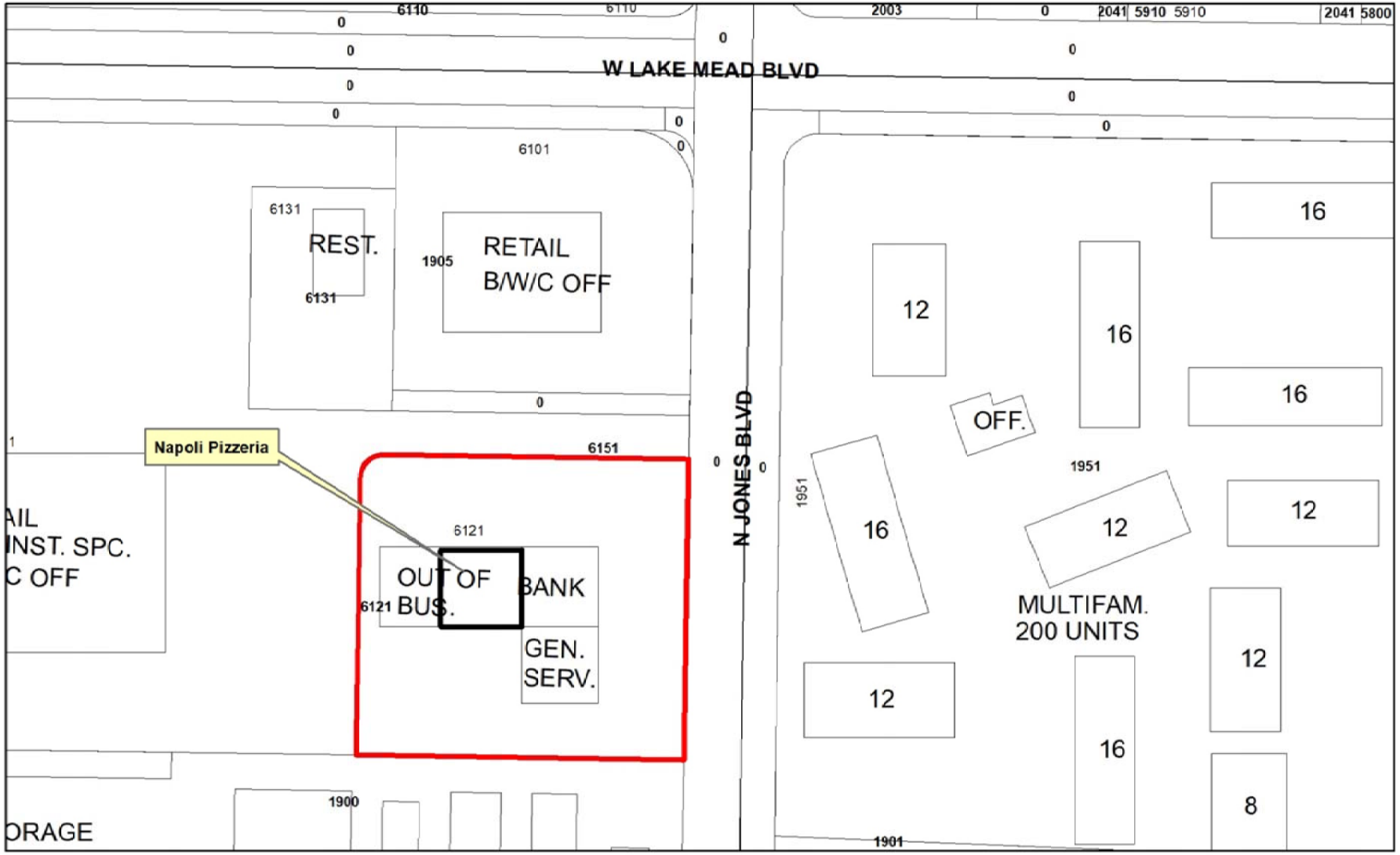
SUBJECT:
For possible action to approve a Beer/Wine/Cooler On-Sale License for NYREE, LLC dba NAPOLI PIZZERIA at 6121 West Lake Mead Boulevard, Suite #160 [Vahan Balian, Managing Member] - Ward 5 (Crear)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
For possible action to approve a Beer/Wine/Cooler On-Sale License.

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Location Map



Napoli Pizzeria
6121 West Lake Mead Boulevard, Suite #160
Ward 5

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
35

DEPARTMENT: Planning **CONSENT**

DIRECTOR: Robert Summerfield

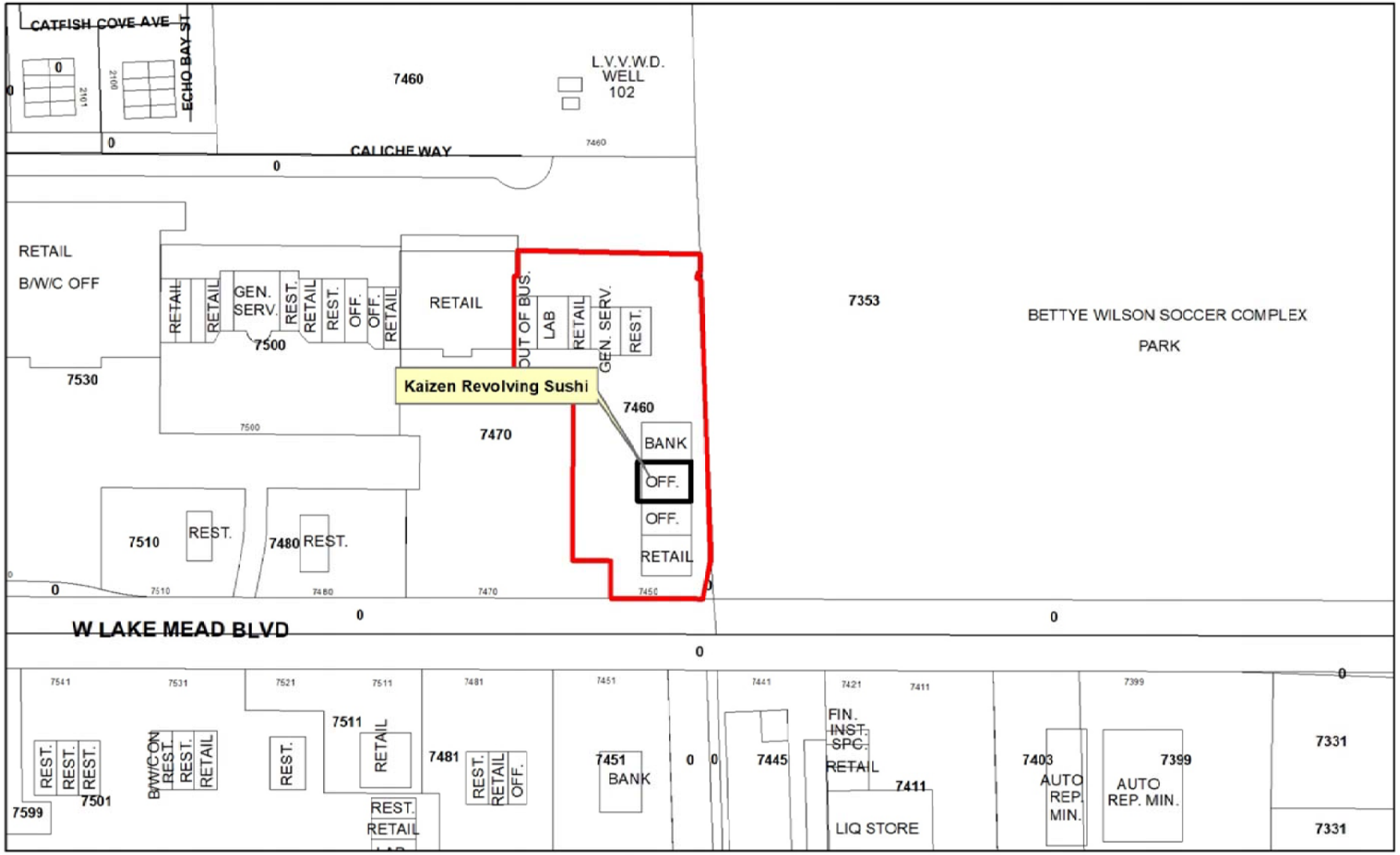
SUBJECT:
For possible action to approve a Beer/Wine/Cooler On-Sale License for M D HWANG, LLC dba KAIZEN REVOLVING SUSHI at 7450 West Lake Mead Boulevard, Suite #2 [Chom Su Hwang, Managing Member] - Ward 4 (Anthony)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
For possible action to approve a Beer/Wine/Cooler On-Sale License.

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Location Map



Kaizen Revolving Sushi
7450 West Lake Mead Boulevard, Suite #2
Ward 4

Freeways
Subject Property
City Limits
Site Location

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Wednesday, June 19, 2019

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
36

DEPARTMENT: Planning **CONSENT**
DIRECTOR: Robert Summerfield

SUBJECT:
For possible action to approve a Temporary Beer/Wine/Cooler On-Sale License NEVADA TACO COMPANY, INC. dba SALUD at 2411 West Sahara Avenue - Ward 1 (Knudsen)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
For possible action to approve a Temporary Beer/Wine/Cooler On-Sale License.

RECOMMENDATION:
Staff recommend approval of a temporary beer/wine/cooler on-sale license with the authority of the Director or designee to issue a permanent license upon receipt of a favorable investigative report.

BACKUP DOCUMENTATION:
1. Ownership
2. Location Map

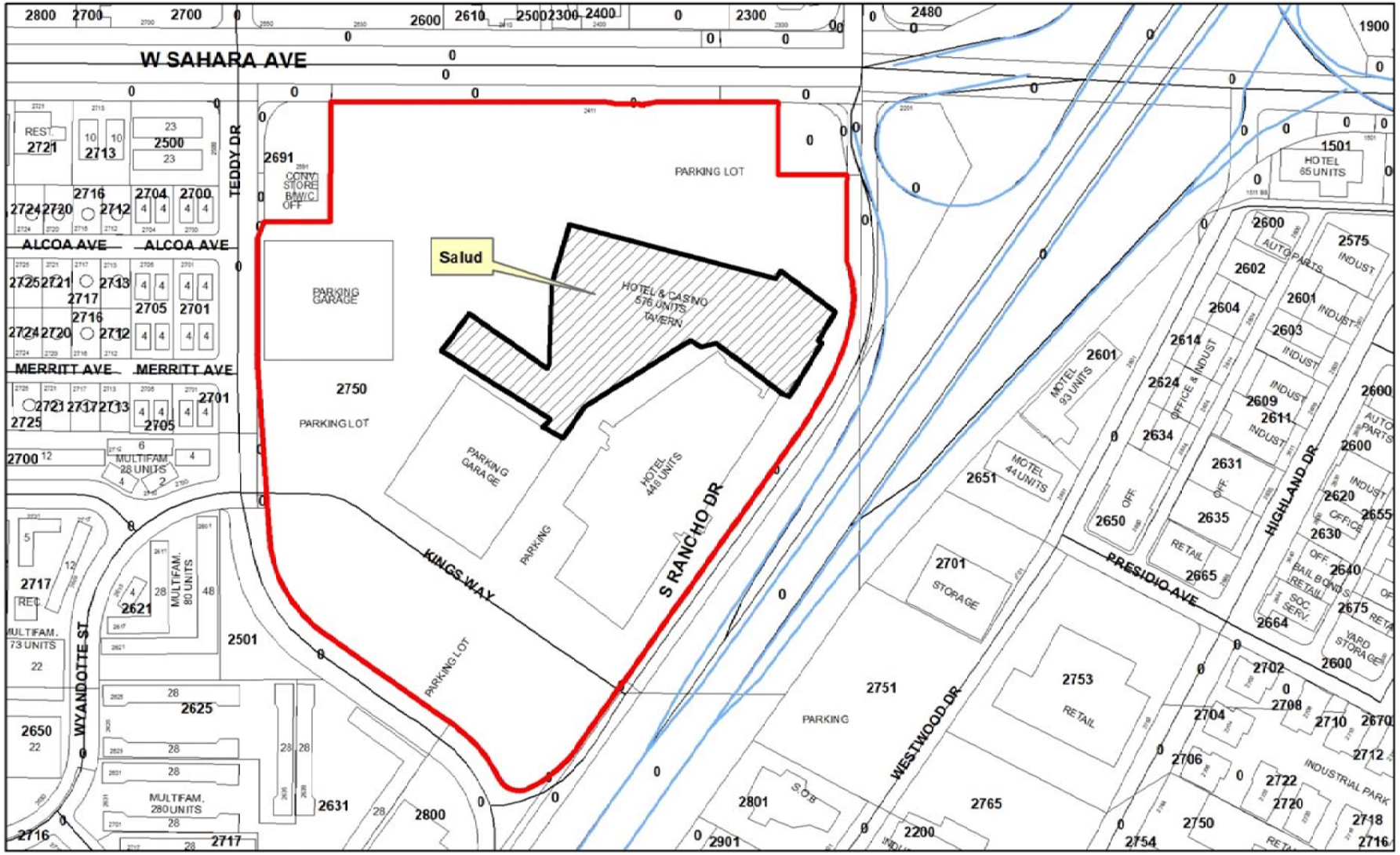
City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: For possible action to approve a Temporary Beer/Wine/Cooler On-Sale License NEVADA TACO COMPANY, INC. dba SALUD at 2411 West Sahara Avenue - Ward 1 (Knudsen)

OWNERSHIP:

NEVADA TACO COMPANY, INC.
Ernest Pio Vincent, Becerra III, President, Secretary, Treasurer, Director
Ernest Becerra Trust, Dated October 13, 2015, Shareholder
Ernest Pio Vincent Becerra III, Trustee



Freeways
Subject Property
City Limits
Site Location

Salud
2411 West Sahara Avenue
Ward 1

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Wednesday, June 19, 2019

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
37

DEPARTMENT: Planning **CONSENT**
DIRECTOR: Robert Summerfield

SUBJECT:
For possible action to approve a Temporary Beer/Wine/Cooler Off-Sale License for a Change of Ownership FROM: PLATINUM MANAGEMENT GROUP 2, LLC TO: DELIGHTFUL INVESTMENT GROUP, LLC dba DIG MART at 1958 East Charleston Boulevard - Ward 3 (Diaz)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
For possible action to approve a Temporary Beer/Wine/Cooler Off-Sale License for a Change of Ownership.

RECOMMENDATION:
Staff recommend approval of a temporary beer/wine/cooler off-sale license with the authority of the Director or designee to issue a permanent license upon receipt of a favorable investigative report.

BACKUP DOCUMENTATION:
1. Ownership
2. Location Map

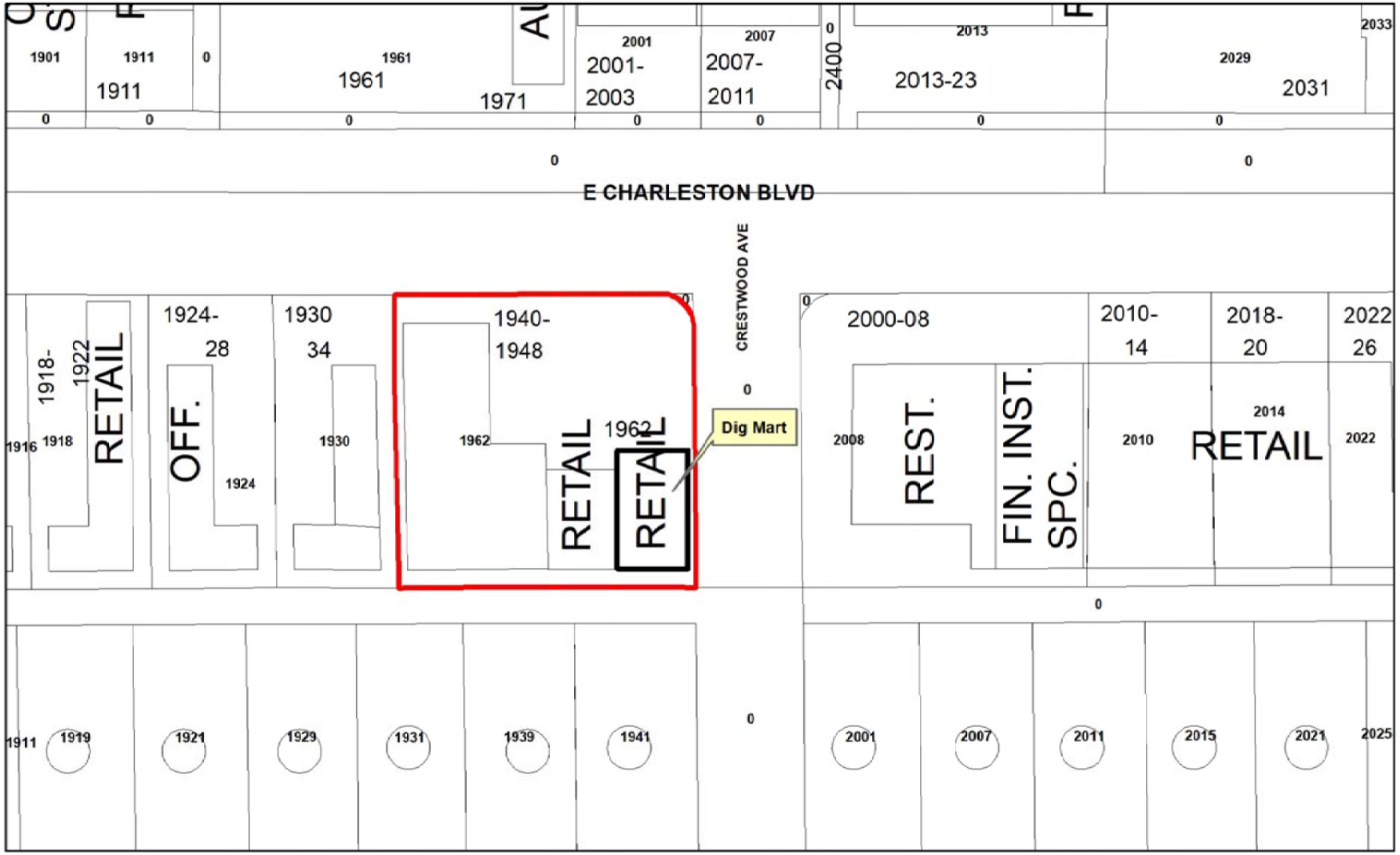
City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: For possible action to approve a Temporary Beer/Wine/Cooler Off-Sale License for a Change of Ownership FROM: PLATINUM MANAGEMENT GROUP 2, LLC TO: DELIGHTFUL INVESTMENT GROUP, LLC dba DIG MART at 1958 East Charleston Boulevard - Ward 3 (Diaz)

OWNERSHIP:

DELIGHTFUL INVESTMENT GROUP, LLC
Daya Gunasekara, Managing Member
Indika Samarasinghe, Managing Member
Gothami Mananayake, Member
Amila Gurudeniya, Member



Dig Mart
1958 East Charleston Boulevard
Ward 3

Freeways
Subject Property
City Limits
Site Location

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Wednesday, June 19, 2019

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
38

DEPARTMENT: Planning **CONSENT**

DIRECTOR: Robert Summerfield

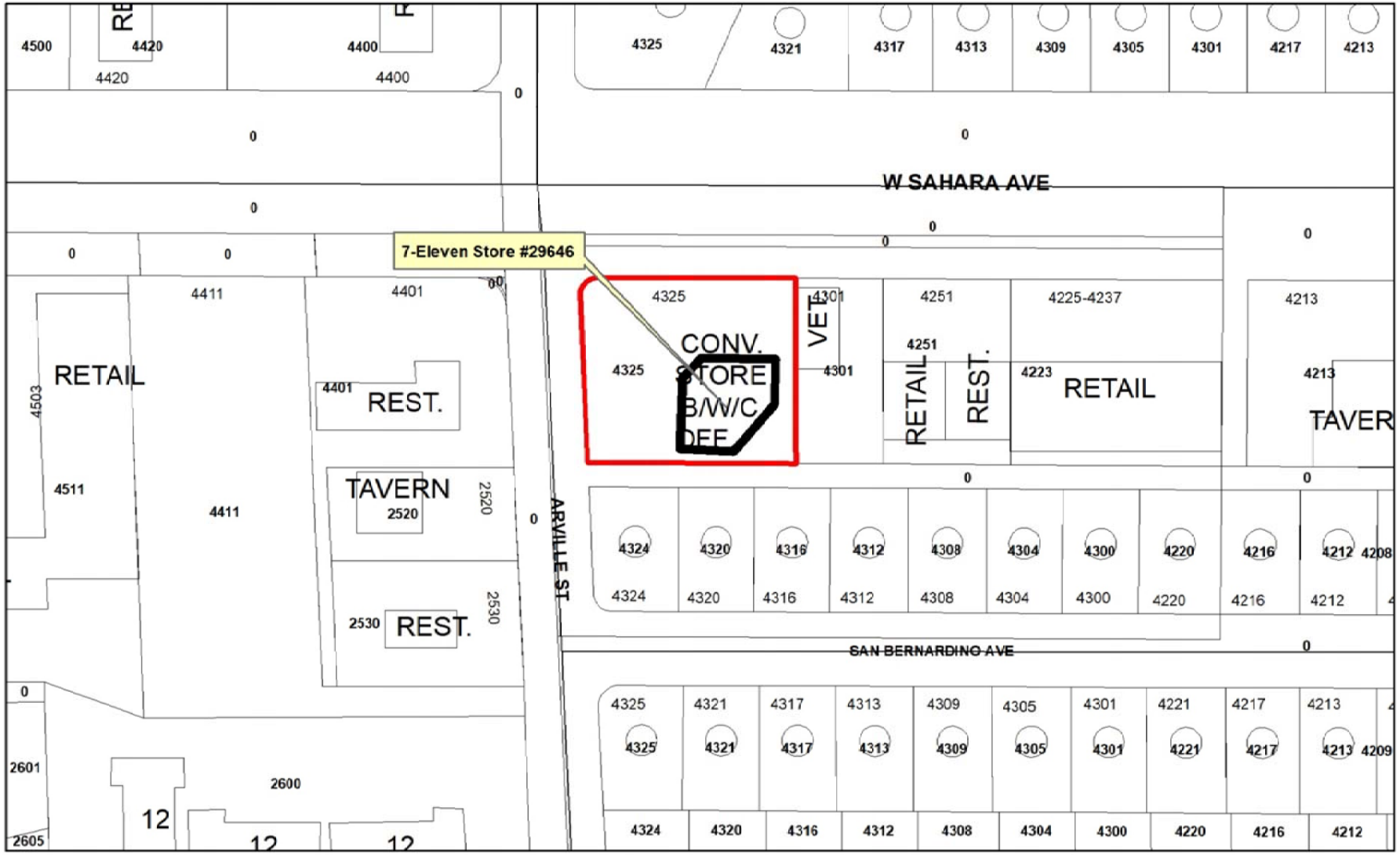
SUBJECT:
For possible action to approve a Beer/Wine/Cooler Off-Sale License for a Change of Ownership FROM: 7-ELEVEN OF NEVADA, INC. TO: S&S FUELS MANAGEMENT IV, LLC dba 7-ELEVEN STORE #29646 at 4235 West Sahara Avenue [Amar Preet Puri, Managing Member] - Ward 1 (Knudsen)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
For possible action to approve a Beer/Wine/Cooler Off-Sale License for a Change of Ownership.

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Location Map



7-Eleven Store #29646
4325 West Sahara Avenue
Ward 1

Freeways
Subject Property
City Limits
Site Location

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Thursday, June 20, 2019

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
39

DEPARTMENT: Planning **CONSENT**
DIRECTOR: Robert Summerfield

SUBJECT:
For possible action to approve a Beer/Wine/Cooler Off-Sale License for TERRIBLE HERBST, INC. dba HERBST MARKET #371 at 10591 West Lone Mountain Road - Ward 4 (Anthony)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
For possible action to approve a Beer/Wine/Cooler Off-Sale License.

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Ownership
2. Location Map

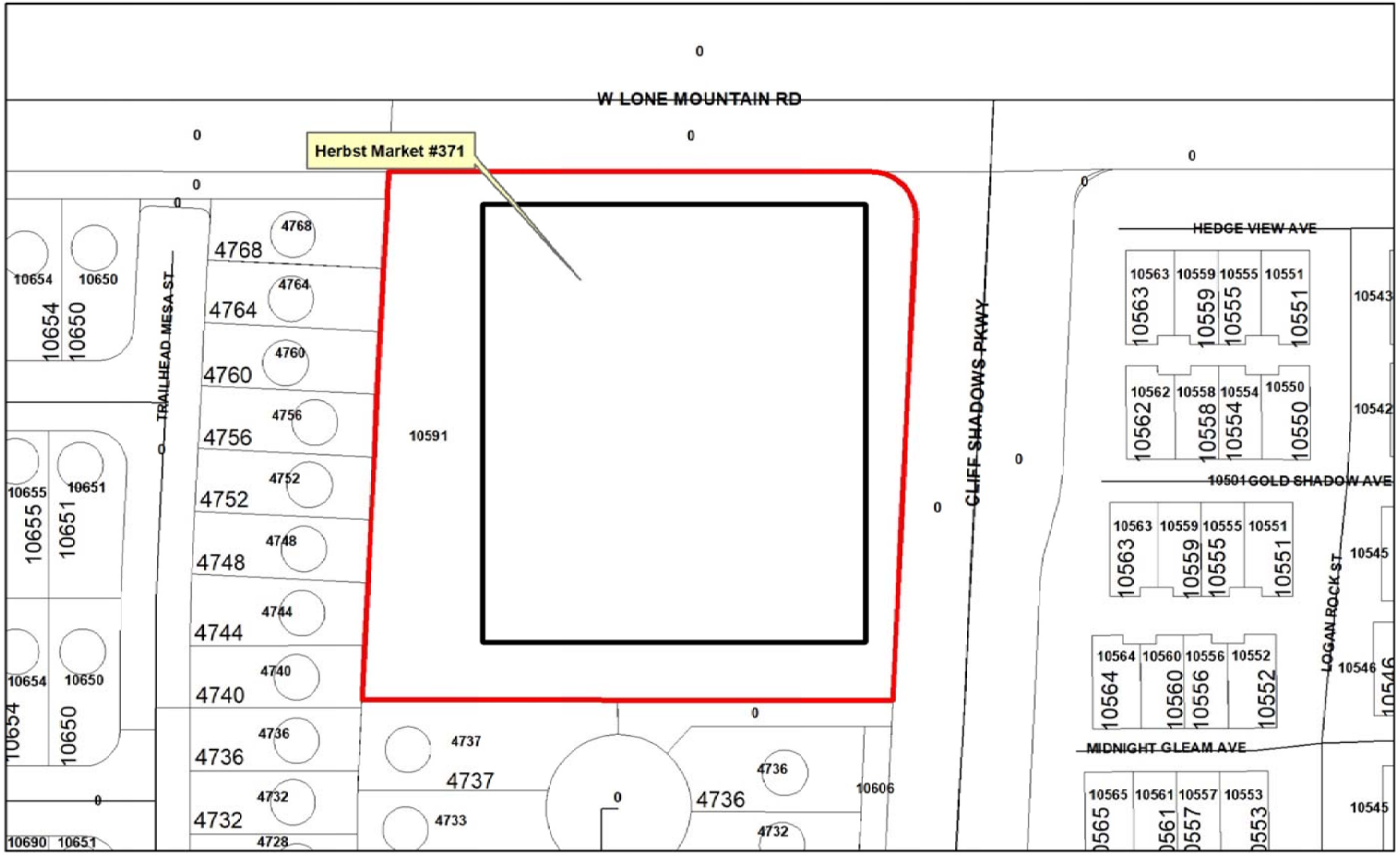
City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: For possible action to approve a Beer/Wine/Cooler Off-Sale License for TERRIBLE HERBST, INC. dba HERBST MARKET #371 at 10591 West Lone Mountain Road - Ward 4 (Anthony)

OWNERSHIP:

TERRIBLE HERBST, INC.
Herbst Family Trust, Shareholder
Jerry Herbst, Trustee
Maryanna Herbst, Trustee
Timothy P. Herbst, President, Secretary
Maryanna Herbst, Director
Troy Herbst, Treasurer
Michael Roop, Director



Herbst Market #371
10591 West Lone Mountain Road
Ward 4

Freeways
Subject Property
City Limits
Site Location

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Wednesday, June 19, 2019

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
40

DEPARTMENT: Planning **CONSENT**
DIRECTOR: Robert Summerfield

SUBJECT:
For possible action to approve a Restricted Gaming License JETT GAMING, LLC dba JETT GAMING, LLC db at HERBST MARKET #371 at 10591 West Lone Mountain Road - Ward 4 (Anthony)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
For possible action to approve a Restricted Gaming License for 15 Slots.

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Ownership
2. Location Map

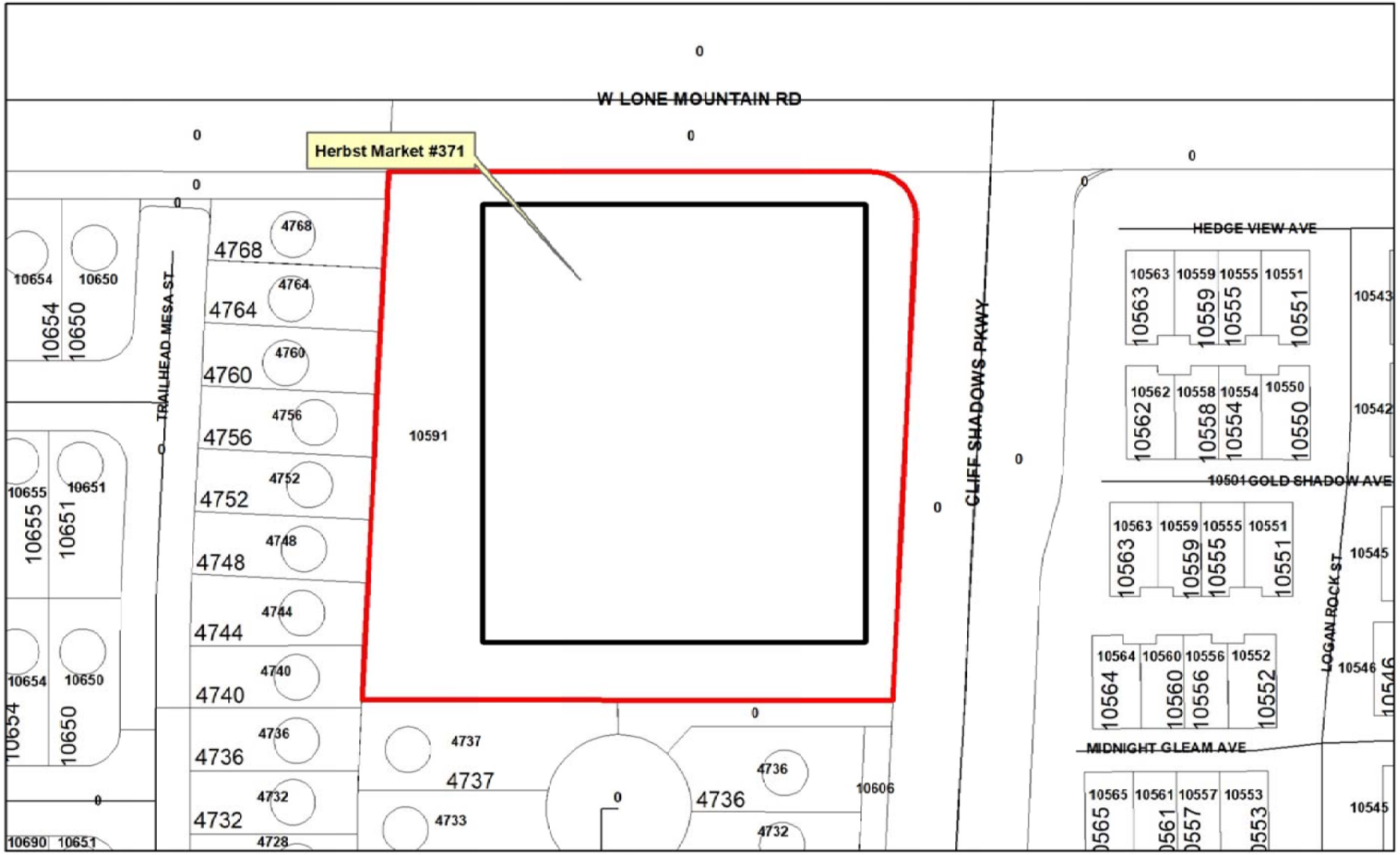
City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: For possible action to approve a Restricted Gaming License JETT GAMING, LLC dba JETT GAMING, LLC db at HERBST MARKET #371 at 10591 West Lone Mountain Road - Ward 4 (Anthony)

OWNERSHIP:

JETT GAMING, LLC
Jerry Herbst, Manager
Timothy P. Herbst, Manager
Herbst Gaming Trust, Member
Jerry Herbst, Trustee



Herbst Market #371
10591 West Lone Mountain Road
Ward 4

Freeways
Subject Property
City Limits
Site Location

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Wednesday, June 19, 2019

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
41

DEPARTMENT: Planning **CONSENT**
DIRECTOR: Robert Summerfield

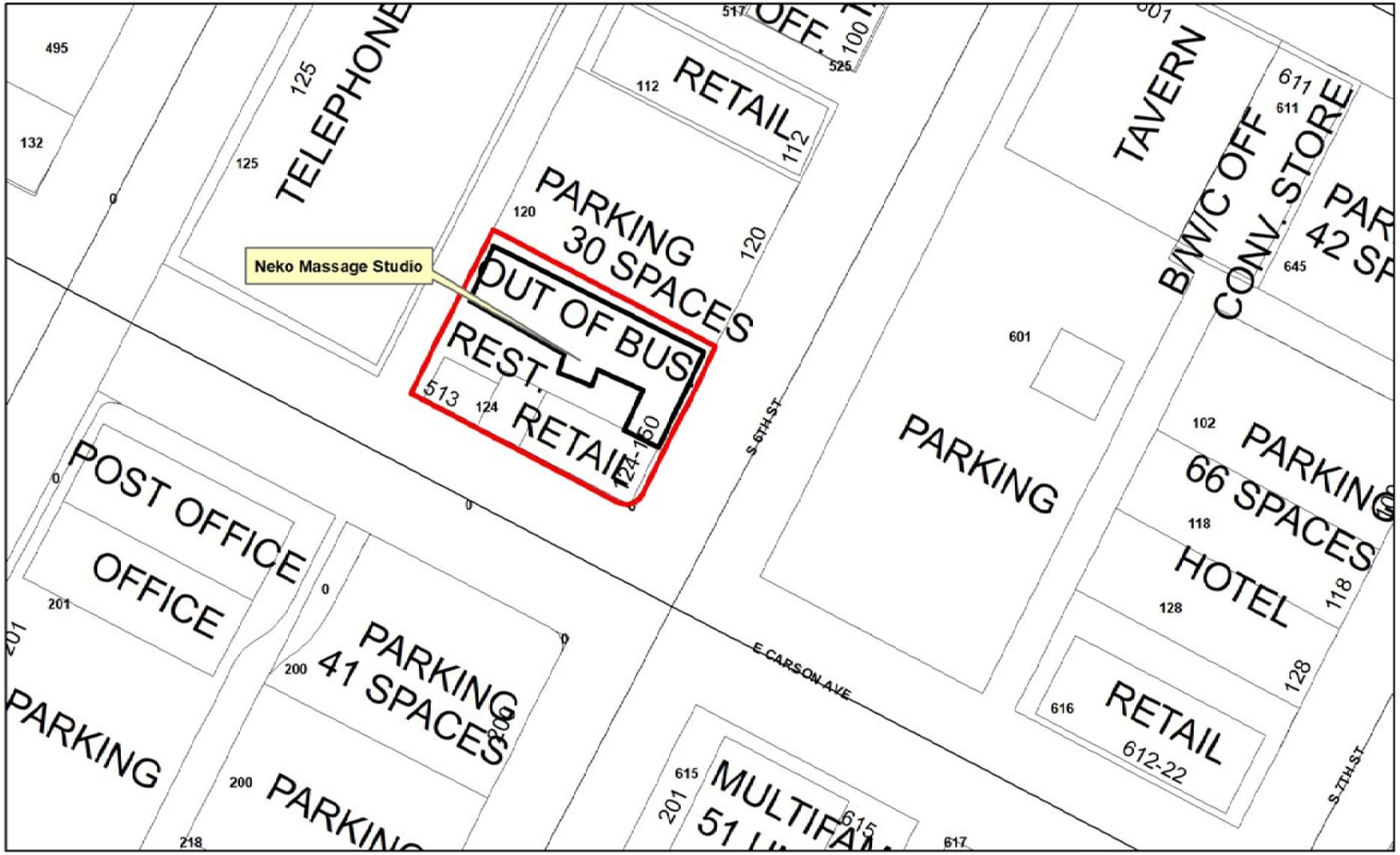
SUBJECT:
For possible action to approve a Temporary Massage Establishment License NEKO MASSAGE STUDIO, LLC dba NEKO MASSAGE STUDIO at 124 South 6th Street, Suite #170 [Kangcheng Yin, Managing Member] - Ward 3 (Diaz)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
For possible action to approve a Temporary Massage Establishment License.

RECOMMENDATION:
Staff recommends APPROVAL of a temporary massage establishment license with the authority of the Director or designee to issue a permanent license upon receipt of a favorable investigative report and no compliance concerns for the first 15 months from the date of issuance of the temporary license.

BACKUP DOCUMENTATION:
1. Location Map



Neko Massage Studio
124 South Sixth Street, Suite #170
Ward 3

Freeways
Subject Property
City Limits
Site Location

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Wednesday, June 19, 2019

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
42

DEPARTMENT: Public Works **CONSENT**
DIRECTOR: Mike Janssen

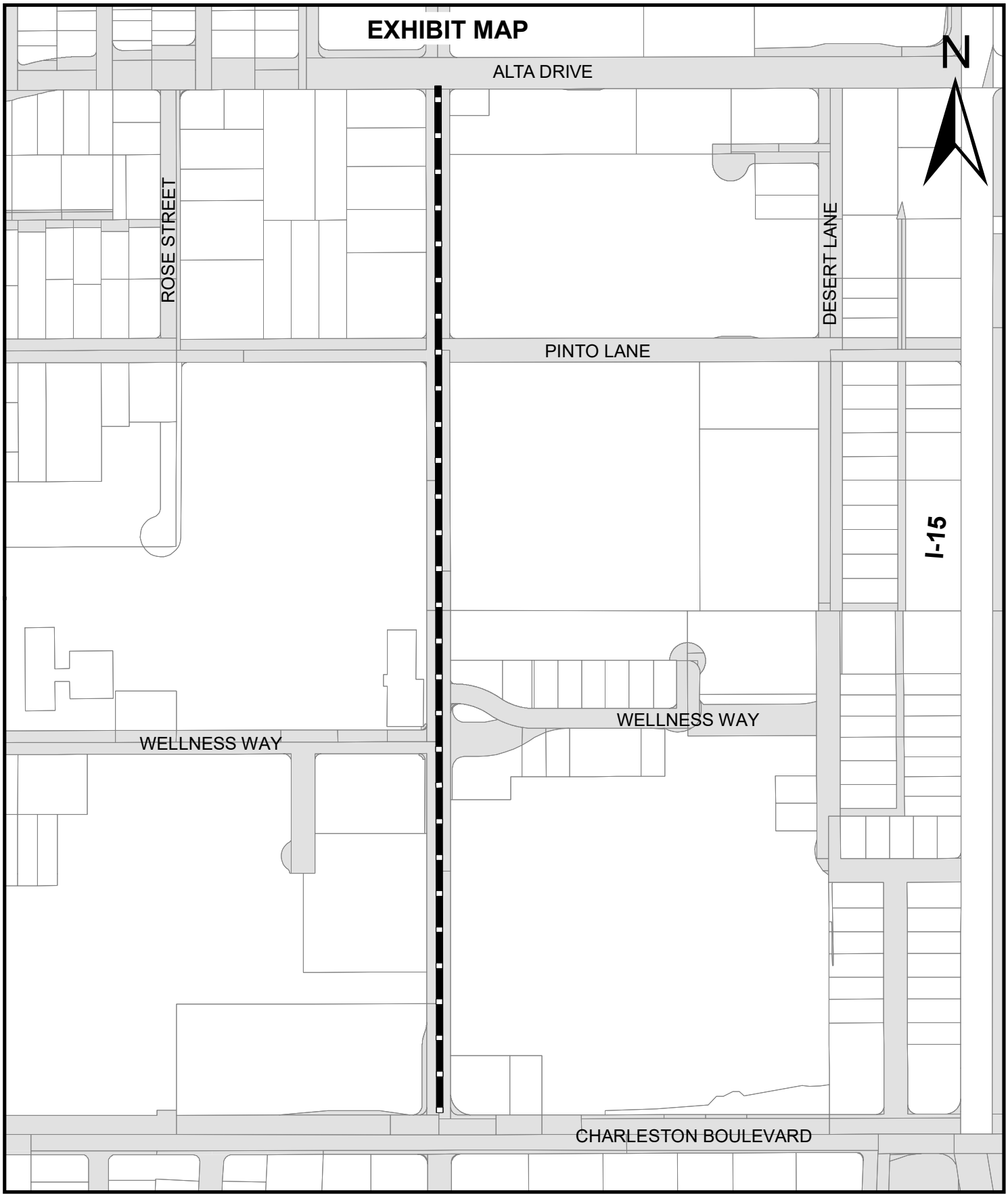
SUBJECT:
For possible action to approve staff to negotiate and purchase property rights, as well as grant utility easements on City owned property and dedicate right-of-way on portions of City property for the Shadow Lane Improvements - Alta to Charleston project, multiple APNs ($500,000) - Road and Flood Capital Project Fund [CPF]) - Ward 1 (Knudsen)

FISCAL IMPACT:
Budget Funds Available
Amount: $500,000
Funding Source: Road and Flood CPF
Dept./Division: Public Works/Right-of-Way

PURPOSE/BACKGROUND:
This streetscape project will include widened sidewalks, streetlights, shade trees, improvements to pedestrian crossings and other improvements as outlined in the City of Las Vegas Medical District Plan. Total funding for the right-of-way from Question 10 funds shall not exceed $500,000 from the Regional Transportation Commission of Southern Nevada.

RECOMMENDATION:
Approval. If approved, the Public Works Director or designee is hereby authorized to execute any documents, as approved as to form by the City Attorney, related to the acquisition, conveyance and dedication of interests in real property.

BACKUP DOCUMENTATION:
1. Exhibit Map



LEGEND

Subject Area

Existing Right-of-Way

SHADOW LANE IMPROVEMENTS

CITY OF LAS VEGAS NEVADA

Date: 5/23/2019

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
43

DEPARTMENT: Public Works **CONSENT**
DIRECTOR: Mike Janssen

SUBJECT:
For possible action to approve a right-of-way dedication from Fairfield Loreto LLC to the City of Las Vegas (City), located in the vicinity of Severence Lane and Oso Blanca Road, APN 125-17-301-008 - Ward 6 (Fiore)

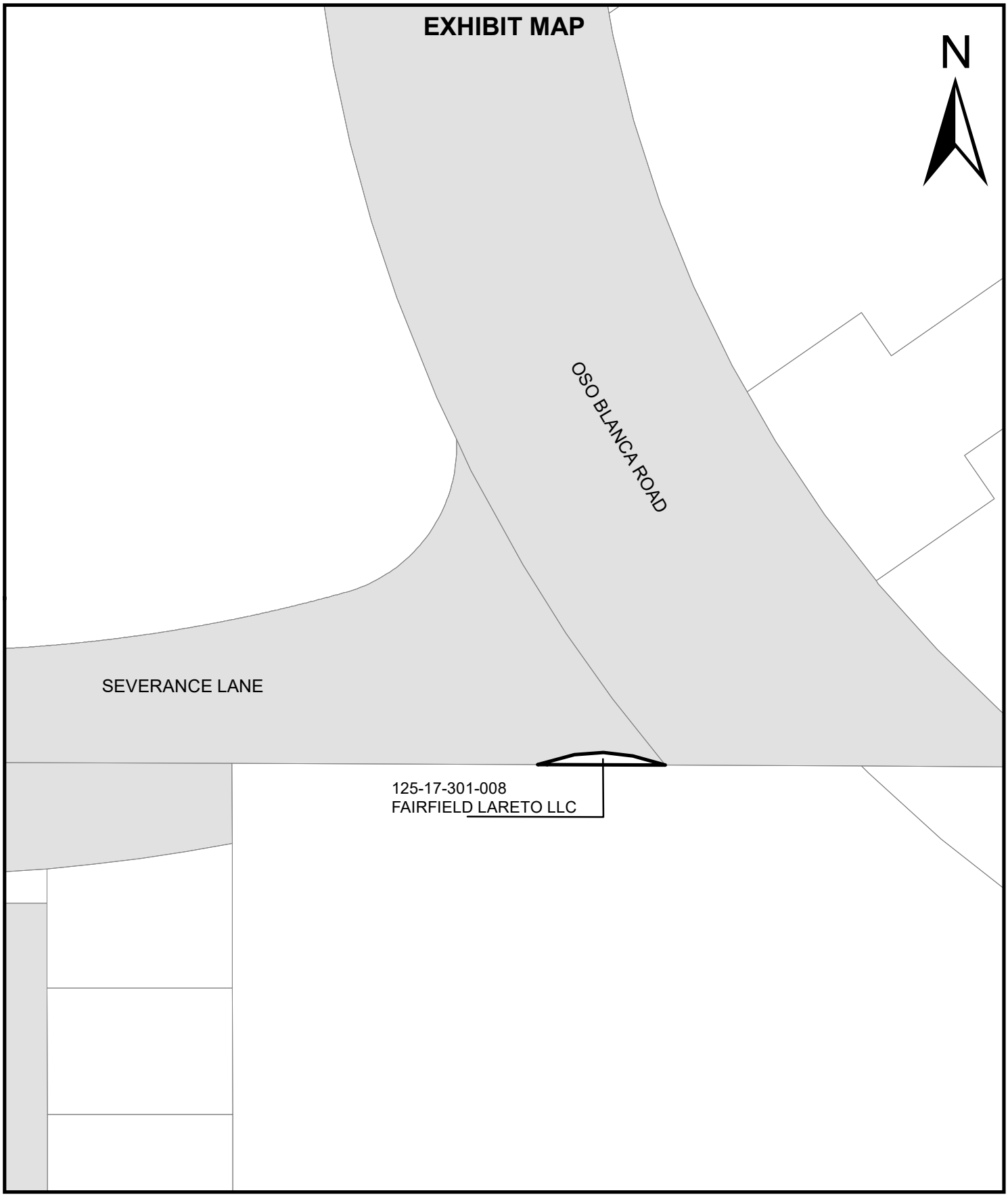
FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
This dedication will convey a small remnant parcel to the City that wasn't included in the original Severence Lane right-of-way dedication.

RECOMMENDATION:
Approval. If approved, the Public Works Director or designee is hereby authorized to execute any documents, as approved as to form by the City Attorney, related to this dedication.

BACKUP DOCUMENTATION:
1. Exhibit Map

EXHIBIT MAP



LEGEND

Subject Parcel

Existing Right-of-Way

OWNER: FAIRFIELD LORETO LLC

PARCEL NO: 125-17-301-008

SECTION, TOWNSHIP, RANGE: SECTION 17, T. 19 S., R 60 E.

TOTAL AREA OF PARCEL: 0.002+- AC.

AREA OF EASEMENT ACQUISITION: 0.002+- AC.

CITY OF LAS VEGAS NEVADA

Date: 6/24/2019

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
44

DEPARTMENT: Public Works **CONSENT**
DIRECTOR: Mike Janssen

SUBJECT:
For possible action to approve Supplemental Interlocal Contract No. 7 - 462g between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase total project funding for engineering design for the Sheep Mountain Parkway, CC215 to Kyle Canyon Road project ($500,000 - Road and Flood Capital Project Fund [CPF]) - Ward 6 (Fiore)

FISCAL IMPACT:
Budget Funds Available
Amount: $500,000
Funding Source: Road and Flood CPF
Dept./Division: Public Works/Transportation Engineering

PURPOSE/BACKGROUND:
The City of Las Vegas entered into an Interlocal Contract and Supplemental Interlocal Contracts with the RTC for the Sheep Mountain Parkway, CC215 to Kyle Canyon Road project. This Supplemental Interlocal Contract No. 6 will increase total project funding for engineering design in the amount of $500,000. Total funding for the project from Question 10 funds shall not exceed $7,112,000. The RTC approved this contract at their June 13, 2019 Board Meeting.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
1. Supplemental Interlocal Contract No. 7 - 462g

DocuSign Envelope ID: 14511B7C-0908-45FF-BD09-C562AB371218

SUPPLEMENTAL INTERLOCAL CONTRACT NO. 7
SHEEP MOUNTAIN PARKWAY, CC 215 TO KYLE CANYON ROAD

THIS SUPPLEMENTAL INTERLOCAL CONTRACT NO. 7 is made and entered into this 13th day of June, 2019, by and between the City of Las Vegas, a municipal corporation, hereinafter referred to as the "CITY" and the Regional Transportation Commission of Southern Nevada hereinafter referred to as "RTC."

W I T N E S S E T H

WHEREAS, the RTC approved Interlocal Contract #462 dated February 12, 2004, and supplemental interlocal contracts dated July 13, 2006, July 12, 2007, May 19, 2011, April 9, 2015, June 8, 2017, and June 14, 2018, for improvements to Sheep Mountain Parkway, CC 215 to Kyle Canyon Road, hereinafter referred to as "PROJECT," located wholly within the CITY; and

WHEREAS, the RTC previously granted "Authorization to Proceed" for engineering and right-of-way for the PROJECT; and

WHEREAS, the CITY wishes to increase total PROJECT funding; and

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the parties hereto, the Parties agree to proceed as follows:

SECTION II: PROJECT COSTS; shall be revised to read as follows:

The RTC agrees to provide funding from Question 10 funds for all costs associated with the PROJECT in accordance to the current Policies and Procedures, incorporated herein by reference and as outlined below:

1. The total cost for this contract shall not exceed $7,112,000.00.

2. Authorizations to Proceed (ATP) are granted as follows:

    a. ENGINEERING not to exceed $3,733,600.00
    b. RIGHT-OF-WAY not to exceed $3,378,400.00
    c. CONSTRUCTION not to exceed $0.00

3. At the time the ATP for construction is granted, the CITY will make all attempts to publish the bid for this PROJECT within 90 calendar days.

4. A supplemental interlocal contract will be required for any changes to the amounts identified in number 2 above.

The remainder of Interlocal Contract #462 dated February 12, 2004, and supplemental interlocal contracts dated July 13, 2006, July 12, 2007, May 19, 2011, April 9, 2015, June 8, 2017, and June 14, 2018, shall remain unchanged.

The remainder of this page is left intentionally blank.

DocuSign Envelope ID: 14511B7C-0908-45FF-BD09-C562AB371218

IN WITNESS WHEREOF, this Supplemental Interlocal Contract No. 7 is effective as of the date first set forth above.

Date of Commission Action: REGIONAL TRANSPORTATION COMMISSION

June 13, 2019 BY: DocuSigned by: Lawrence L Brown III 9BD793A7A53847A...

LAWRENCE L. BROWN III, Chairman

Attest:

DocuSigned by: Marin DuBois 67F25985C7F8458...

MARIN DUBOIS, Management Analyst

Approved as to Form:

DocuSigned by: David Clyde C20A409B6B774C0...

RTC Legal Counsel

Date of Council Action: CITY OF LAS VEGAS

BY:

CAROLYN G. GOODMAN, Mayor

Attest:

LUANN D. HOLMES, MMC
City Clerk

Approved as to Form:

John S. Ridilla 6/24/19

Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
45

DEPARTMENT: Public Works **CONSENT**
DIRECTOR: Mike Janssen

SUBJECT:
For possible action to approve Supplemental Interlocal Contract No. 2 - 1038b between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase total project funding for engineering for the Symphony Park Pedestrian Bridge project ($150,000 - Traffic Improvements Capital Project Fund [CPF]) - Ward 5 (Crear)

FISCAL IMPACT:
Budget Funds Available
Amount: $150,000
Funding Source: Traffic Improvements CPF
Dept./Division: Public Works/Transportation Engineering

PURPOSE/BACKGROUND:
The City of Las Vegas entered into an Interlocal Contract and Supplemental Interlocal Contract with the RTC for the Symphony Park Pedestrian Bridge project. This Supplemental Interlocal Contract No. 2 will increase total project funding for engineering in the amount of $150,000 to perform a feasibility study and a bridge report for the project prior to initiating an engineering design project. Total funding for the project from Question 10 funds shall not exceed $1,104,000. The RTC approved this contract at their June 13, 2019 Board Meeting.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
1. Supplemental Interlocal Contract No. 2 - 1038b

DocuSign Envelope ID: 14511B7C-0908-45FF-BD09-C562AB371218

SUPPLEMENTAL INTERLOCAL CONTRACT NO. 2
SYMPHONY PARK PEDESTRIAN BRIDGE

THIS SUPPLEMENTAL INTERLOCAL CONTRACT NO. 2 is made and entered into this 13th day of June, 2019, by and between the City of Las Vegas, a municipal corporation, hereinafter referred to as the "CITY" and the Regional Transportation Commission of Southern Nevada hereinafter referred to as "RTC".

W I T N E S S E T H

WHEREAS, the RTC approved Interlocal Contract #1038 dated September 13, 2018, and Supplemental Interlocal Contract No. 1 dated October 11, 2018, for Symphony Park Pedestrian Bridge, which is included on the adopted RTC Capital Improvement Plan, hereinafter referred to as "PROJECT," located wholly within the CITY; and

WHEREAS, the RTC previously granted "Authorization to Proceed" for right-of-way for the PROJECT; and

WHEREAS, the CITY wishes to increase total PROJECT funding; and

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the Parties hereto, the Parties agree to proceed as follows:

SECTION II: PROJECT COSTS; shall be revised to read as follow:

The RTC agrees to provide funding from Question 10 funds for all costs associated with the PROJECT in accordance to the current Policies and Procedures, incorporated herein by reference and as outlined below:

1. The total cost for this contract shall not exceed $1,104,000.00.

2. Authorizations to Proceed (ATP) are granted as follows:

    a. ENGINEERING not to exceed $150,000.00
    b. RIGHT-OF-WAY not to exceed $954,000.00
    c. CONSTRUCTION not to exceed $0.00

3. At the time the ATP for constructed is granted, the CITY will make all attempts to publish the bid for this PROJECT within 90 calendar days.

4. A supplemental interlocal contract will be required for any changes to the amounts identified in number 2 above.

The remainder of Interlocal Contract #1038 dated September 13, 2018, and Supplemental Interlocal Contract No. 1 dated October 11, 2018, shall remain unchanged.

The remainder of this page is left intentionally blank.

DocuSign Envelope ID: 14511B7C-0908-45FF-BD09-C562AB371218

IN WITNESS WHEREOF, this Supplemental Interlocal Contract No. 2 is effective as of the date first set forth above.

Date of Commission Action:

June 13, 2019

REGIONAL TRANSPORTATION COMMISSION

BY: DocuSigned by: Lawrence L Brown III 9BD793A7A53847A...

LAWRENCE L. BROWN III, Chairman

Attest:

DocuSigned by: Marin DuBois 67F25985C7F8458...

MARIN DUBOIS, Management Analyst

Approved as to Form:

DocuSigned by: David Clyde C20A409B6B774C0...

RTC Legal Counsel

Date of Council Action:

CITY OF LAS VEGAS

BY:

CAROLYN G. GOODMAN, Mayor

Attest:

LUANN D. HOLMES, MMC
City Clerk

Approved as to Form:

John S. Ridilla 6/24/19

Deputy City Attorney Date

John S. Ridilla
Deputy City Attorney

194B-Q10-1038b: Symphony Park Pedestrian Bridge

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
46

DEPARTMENT: Public Works **CONSENT**
DIRECTOR: Mike Janssen

SUBJECT:
For possible action to approve Interlocal Contract 1088 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to provide funding for construction for the Bradley Road, Whispering Sands Drive to Grand Teton Drive project ($970,000 - Road and Flood Capital Project Fund [CPF]) - Ward 6 (Fiore) and Clark County

FISCAL IMPACT:
Budget Funds Available
Amount: $970,000
Funding Source: Road and Flood CPF
Dept./Division: Public Works/Transportation Engineering

PURPOSE/BACKGROUND:
This Interlocal Contract 1088 provides construction funds for the Bradley Road, Whispering Sands Drive to Grand Teton Drive project. The basic improvements include pavement, curb, gutter, sidewalk, streetlights, bicycle lanes, and any other appurtenances necessary to complete the functional project. Total funding for the project from Fuel Revenue Indexing Extension funds shall not exceed $970,000. The RTC approved this contract at their June 13, 2019 Board Meeting.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
1. Interlocal Contract 1088

DocuSign Envelope ID: 14511B7C-0908-45FF-BD09-C562AB371218

Contract # 1088

INTERLOCAL CONTRACT
BRADLEY ROAD, WHISPERING SANDS DRIVE TO GRAND TETON DRIVE

THIS INTERLOCAL CONTRACT is made and entered into this 13th day of June, 2019, by and between the City of Las Vegas, a municipal corporation, hereinafter referred to as "CITY" and the Regional Transportation Commission of Southern Nevada, hereinafter referred to as "RTC."

W I T N E S S E T H

WHEREAS, the CITY intends to construct roadway improvements for Bradley Road, Whispering Sands Drive to Grand Teton Drive, which is included on the adopted RTC Capital Improvement Plan, hereinafter referred to as "PROJECT," located wholly within the City of Las Vegas; and

WHEREAS, the CITY is requesting funds to commence construction of the PROJECT; and

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the Parties hereto, the Parties agree to proceed as follows:

SECTION I: SCOPE OF PROJECT

This Interlocal Contract applies to roadway improvements for Bradley Road, Whispering Sands Drive to Grand Teton Drive project. The basic improvements include pavement, curb, gutter, sidewalk, streetlights, bicycle lanes, any other appurtenances necessary to complete the functional project. The PROJECT is more specifically described in Exhibit "A" which is attached hereto and by this reference incorporated herein.

SECTION II: PROJECT COSTS

The RTC agrees to provide Fuel Revenue Indexing Extension funds for all costs associated with the PROJECT in accordance to the current Policies and Procedures, incorporated herein by reference and as outlined below:

1. The total cost for this contract shall not exceed $970,000.00.

2. Authorizations to Proceed (ATP) are granted as follows:

    a. ENGINEERING not to exceed $0.00
    b. RIGHT-OF-WAY not to exceed $0.00
    c. CONSTRUCTION not to exceed $970,000.00

3. At the time the ATP for construction is granted, the CITY will make all attempts to publish the bid for this PROJECT within 90 calendar days.

4. A supplemental interlocal contract will be required for any changes to the amounts identified in number 2 above.

DocuSign Envelope ID: 14511B7C-0908-45FF-BD09-C562AB371218

SECTION III: GENERAL

1. The title sheet of both the plans and specifications shall designate the RTC as the funding agency. If construction funds are provided by sources other than the RTC, the plans, contract documents, special provisions, and PROJECT signs shall also show the RTC as a funding agency.

2. Preliminary engineering, design and right-of-way engineering shall be performed by the CITY or by a consultant employed by the CITY.

3. The design, construction, right-of-way acquisition and contract administration of the PROJECT shall comply with the requirements as set forth in the current "Policies and Procedures" of the RTC.

4. The CITY's Department of Public Works has a policy which effectively prohibits utility cuts through the pavement for a period of five years after the completion of a PROJECT.

5. Upon completion of the construction of the PROJECT, it shall be maintained by the CITY and no funding is provided by this Contract for such maintenance.

6. The PROJECT must be completed to the satisfaction of the RTC prior to the current applicable completion date of June 30, 2023. The RTC may, at any time thereafter, grant time extensions or terminate this Contract and require all sums advanced to the CITY be repaid.

7. It is understood and agreed that the purpose of this Interlocal Contract is to fund the PROJECT as herein above set forth. It is further understood and agreed that the CITY is responsible for the design and construction of the PROJECT. The CITY will be responsible for the actions or inactions of its Officers and Employees. The RTC's sole responsibility is to facilitate funding for the PROJECT. The RTC disavows any responsibility for the actions or inactions of the CITY, its Officers, Employees, or agents.

8. Should the construction funds be provided by sources other than the RTC, the CITY will reimburse the RTC for a percentage of the preliminary engineering and design costs associated with other funding sources, as mutually agreed upon by the RTC and the CITY.

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IN WITNESS WHEREOF, this Interlocal Contract is effective as of the date first set forth above.

Date of Commission Action:

June 13, 2019

REGIONAL TRANSPORTATION COMMISSION

BY: DocuSigned by: Lawrence L Brown III 9BD793A7A53847A...

LAWRENCE L. BROWN III, Chairman

Attest:

DocuSigned by: Marin DuBois 67F25985C7F8458...

MARIN DUBOIS, Management Analyst

Approved as to Form:

DocuSigned by: David Clyde C20A409B6B774C0...

RTC Legal Council

Date of Council Action:

CITY OF LAS VEGAS

BY:

CAROLYN G. GOODMAN, Mayor

Attest:

LUANN D. HOLMES, MMC
City Clerk

Approved as to Form:

John S. Ridilla 6/24/19

Deputy City Attorney Date

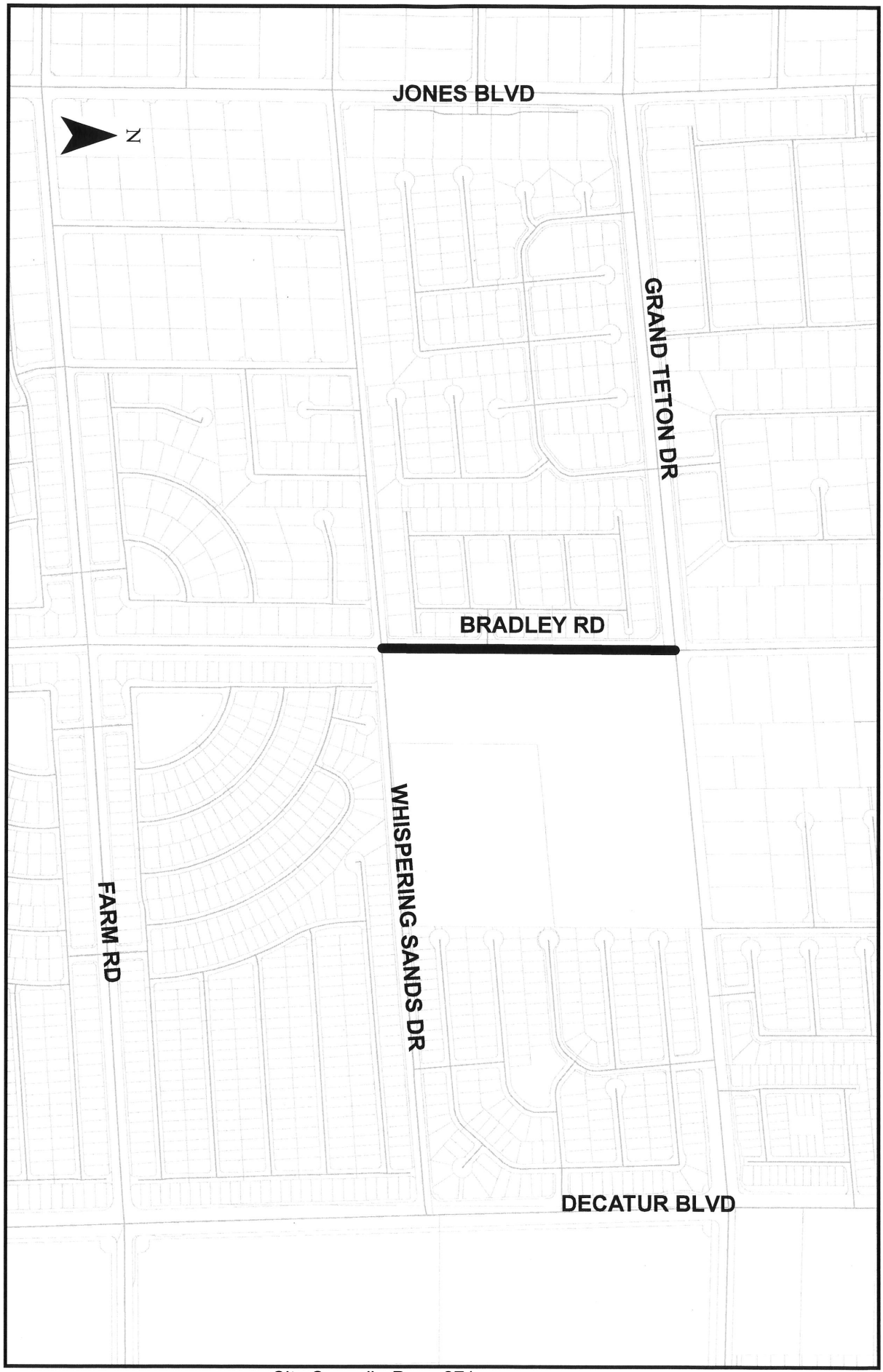
John S. Ridilla
Deputy City Attorney

DocuSign Envelope ID: 14511B7C-0908-45FF-BD09-C562AB371218

N:\pavement\RWPGIS\Greg\Exhibit As\Bradley Rd Exhibit A.mxd

4/24/2019

Exhibit A Bradley Road, Whispering Sands to Grand Teton



AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
47

DEPARTMENT: Public Works **CONSENT**
DIRECTOR: Mike Janssen

SUBJECT:
For possible action to approve Cooperative Agreement NM315-19-816 between the City of Las Vegas (CLV) and the State of Nevada Department of Transportation (NDOT) for intersection improvements along the Eastern Avenue Corridor - Ward 3 (Diaz)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
Cooperative Agreement NM315-19-816 grants NDOT and authorized agents access to the CLV's right-of-way and/or easements to install intersection improvements and landscape features along Eastern Avenue Corridor at no cost to the CLV as specified by the agreement. Upon construction completion, the CLV agrees to maintain said improvements at no cost to NDOT as specified by the agreement. This agreement expires December 31, 2020.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
1. Cooperative Agreement NM315-19-816

COOPERATIVE AGREEMENT

This Agreement is made and entered into on , by and between the State of Nevada, acting by and through its Department of Transportation, hereinafter called the "DEPARTMENT", and City of Las Vegas, a municipal corporation of the State of Nevada, hereinafter called the "CITY."

WITNESSETH:

WHEREAS, a Cooperative Agreement is defined pursuant to Nevada Revised Statutes (NRS) 277.110 as an agreement between two or more public agencies for the joint exercise of powers, privileges, and authority; and

WHEREAS, pursuant to the provisions contained in Chapter 408 of the Nevada Revised Statutes, the Director of the DEPARTMENT may enter into those agreements necessary to carry out the provisions of the Chapter; and

WHEREAS, NRS 277.110 authorizes any two or more public agencies to enter into agreements for joint or cooperative action; and

WHEREAS, the parties to this Agreement are public agencies and authorized to enter into agreements in accordance with NRS 277.080 to 277.110, inclusive; and

WHEREAS, under this Agreement, the CITY will grant permission for the DEPARTMENT to enter CITY's right-of-way to construct intersection improvements and landscaping along the Eastern Avenue corridor in Las Vegas, Nevada, hereinafter called the "PROJECT;" and

WHEREAS, the purpose of this Agreement is to address each party's responsibilities concerning the PROJECT; and

WHEREAS, the PROJECT will be of benefit to the DEPARTMENT, the CITY, and to the people of the State of Nevada; and

WHEREAS, the parties hereto are willing and able to perform the services described herein.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants herein contained, it is agreed as follows:

ARTICLE I – CITY AGREES

1. To authorize the DEPARTMENT and its authorized agents and contractors to occupy the CITY's right-of-way and or easements for the purpose set forth in this Agreement, so as the DEPARTMENT has obtained all permits required by the CITY and has complied with all CITY permit conditions.

2. To operate and maintain the improvements made by the DEPARTMENT for the PROJECT, which includes the installation of intersection improvements and landscape features without cost to the DEPARTMENT.

3. To issue an encroachment permit to the DEPARTMENT, at no cost, to allow the DEPARTMENT and its agents to occupy all CITY right-of-way necessary for the construction of the PROJECT.

4. To require those utility companies having franchise agreements with the CITY, when permitted under the terms of the franchise agreement, to relocate their facilities if necessary or otherwise accommodate the PROJECT at no cost to the PROJECT, DEPARTMENT or the CITY.

ARTICLE II - DEPARTMENT AGREES

1. The DEPARTMENT agrees to fund and administer the entire project.

2. The DEPARTMENT agrees to provide the CITY with preliminary plans and specifications for review and comment, and to invite the CITY to the Specification Review Meeting, to address said comments.

3. The DEPARTMENT agrees to observe, review, and inspect all work associated with the PROJECT during construction and installation, at no cost to the CITY.

4. The DEPARTMENT agrees to be responsible for the design and construction of the PROJECT in accordance with CITY standards, policies, specifications, where applicable, and develop all information necessary for the construction of the PROJECT.

5. To assign a Right-of-Way Agent to coordinate and provide liaison for the relocation or adjustment of utilities in accordance with applicable State and Federal regulations, including, but not limited to, NAC Chapter 408 and 23 CFR Part 645.

6. The DEPARTMENT agrees to provide the CITY with a warranty period of not less than one year after substantial completion of the PROJECT for those improvements for which the CITY will be responsible for operating and maintaining.

ARTICLE III – IT IS MUTUALLY AGREED

1. The term of this Agreement shall be from the date first written above through and including December 31, 2020, or until construction of all improvements contemplated herein have been completed and accepted by the DEPARTMENT, save and except for the responsibility for maintenance as specified herein, whichever occurs first.

2. This Agreement shall not become effective until and unless approved by appropriate official action of the governing body of each party.

3. The CITY, on behalf of itself, its spouses, heirs, executors, administrators, successors, subrogees, servants, insurers, attorneys, independent representatives, personal representatives, agents, and assigns, does hereby waive, release, and forever discharge the State of Nevada, the DEPARTMENT, and each and every of their departments, divisions, agencies, officers, directors, agents, contractors, and employees, from any and all claims, demands, liens, liability, actions, causes of action, and suits for damages, at law and in equity , in any way connected with or arising from the CITY's provision of services and work performed following termination of this Agreement and/or following the expiration date of this Agreement, as it may be amended from time to time through written amendment signed by the parties hereto and approved by appropriate official action of the DEPARTMENT's governing body, prior to such expiration date.

4. Neither the State of Nevada, the DEPARTMENT, nor any of their departments, divisions, agencies, officers, directors, agents, contractors, and employees, shall have authority to extend this Agreement beyond the expiration date set forth within this Agreement, unless such extension is set forth within a written amendment signed by the parties hereto and approved by appropriate official action of the DEPARTMENT's governing body prior to such expiration date. The CITY shall not rely upon any oral or written representations expressed extrinsic to a written amendment signed by the parties hereto and approved by appropriate official action of the DEPARTMENT's governing body prior to such expiration date, purporting to alter or amend this Agreement, including but not limited representations relating to the extension of the Agreement's expiration date.

5. Paragraphs 1 through 6 of this Article III – GENERAL TERMS, shall survive the termination and expiration of this Agreement until such time as the applicable statutes of limitation expire.

6. This Agreement may be terminated by either party prior to the date set forth above, provided that a termination shall not be effective until thirty (30) calendar days after a party has served written notice upon the other party. This Agreement may be terminated by mutual consent of both parties or unilaterally by either party without cause. The parties expressly agree that this Agreement shall be terminated immediately if for any reason Federal and/or State Legislature funding ability to satisfy this Agreement is withdrawn, limited, or impaired.

7. All notices or other communications required or permitted to be given under this Agreement shall be in writing and shall be deemed to have been duly given if delivered personally in hand, by telephonic facsimile electronic mail with simultaneous regular mail, or mailed via certified mail, return receipt requested, postage prepaid on the date posted, and addressed to the other party at the address set forth below:

FOR DEPARTMENT:

Kristina L. Swallow, P.E., Director
Attn.: Lori Campbell
Nevada Department of Transportation
Division: Traffic Safety Engineering
1263 South Stewart Street
Carson City, Nevada 89712
Phone: (775) 888-7462
Fax: (775) 888-7403
Email: lcampbell@dot.nv.gov

FOR CITY:

Mike Janssen, P.E., PTOE, Director of Public Works
City of Las Vegas - Public Works Department
Public Works Traffic Services Engineering
Development Services Center (DSC) 8th Floor
333 N. Rancho Drive
Las Vegas, NV 89106
Phone: (702) 229-4866
Fax: (702) 386-9108
Email: mjanssen@lasvegasnevada.gov

8. The DEPARTMENT will award the total contract in accordance with its rules and procedures under the Standard Specifications for Road and Bridge Construction to the lowest responsive and responsible bidder. The DEPARTMENT has the right to reject any and all bid proposals determined not to be in the best interest of the State.

9. Neither party shall be deemed to be in violation of this Agreement if it is prevented from performing any of its obligations hereunder due to strikes, failure of public transportation, civil or military authority, act of public enemy, accidents, fires, explosions, or acts of God, including without limitations, earthquakes, floods, winds or storms. In such an event the intervening cause must not be through the fault of the party asserting such an excuse, and the excused party is obligated to promptly perform in accordance with the terms of this Agreement after the intervening cause ceases.

10. To the fullest extent of NRS Chapter 41 liability limitations, each party shall indemnify, hold harmless, and defend, not excluding the other's right to participate, the other from and against all liability, claims, actions, damages, losses, and expenses, including, but not limited to, reasonable attorneys' fees and costs, caused by the negligence, errors, omissions, recklessness, or intentional misconduct of its own officers, employees, and agents. Such obligation shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described herein. This indemnification obligation is conditioned upon the performance of the duty of the party seeking indemnification (indemnified party) to serve the other party (indemnifying party) with written notice of an actual or pending claim, within thirty (30) calendar days of the indemnified party's notice of such actual or pending claim or cause of action. The indemnifying party shall not be liable for reimbursement of any attorney's fees and costs incurred by the indemnified party due to said party exercising its right to participate with legal counsel.

11. The parties do not waive and intend to assert available NRS Chapter 41 liability limitations in all cases. Agreement liability of both parties shall not be subject to punitive damages. Actual damages for any DEPARTMENT breach shall never exceed the amount of funds which have been appropriated for payment under this Agreement, but not yet paid, for the fiscal year budget in existence at the time of the breach.

12. Failure to declare a breach or the actual waiver of any particular breach of this Agreement or any of its material or nonmaterial terms by either party shall not operate as a waiver by such party of any of its rights or remedies as to any other breach, including a breach of the same term.

13. An alteration ordered by the DEPARTMENT, which substantially changes the services provided for by the expressed intent of this Agreement will be considered extra work and shall be specified in a written amendment which will set forth the nature and scope thereof. The method of payment for extra work shall be specified at the time the amendment is written.

14. This Agreement and the rights and obligations of the parties hereto shall be governed by, and construed according to, the laws of the State of Nevada. The parties consent to the exclusive jurisdiction of the Nevada state district courts for enforcement of this Agreement.

15. The illegality or invalidity of any provision or portion of this Agreement shall not affect the validity of the remainder of the Agreement, and this Agreement shall be construed as if such provision did not exist. The unenforceability of such provision shall not be held to render any other provision or provisions of this Agreement unenforceable.

16. Except as otherwise expressly provided within this Agreement, all or any property presently owned by either party shall remain in such ownership upon termination of this Agreement, and there shall be no transfer of property between the parties during the course of this Agreement.

17. In the event the Nevada Legislature does not appropriate sufficient or any funds for a DEPARTMENT biennium during the term of this Agreement, this Agreement shall terminate.

18. It is specifically agreed between the parties executing this Agreement that it is not intended by any of the provisions of any part of the Agreement to create in the public or any member thereof a third party beneficiary status hereunder, or to authorize anyone not a party to this Agreement to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of this Agreement.

19. Each party agrees to keep and maintain under generally accepted accounting principles full, true, and complete records and documents pertaining to this Agreement and present, at any reasonable time, such information for inspection, examination, review, audit and copying at any office where such records and documentation is maintained. Such records and documentation shall be maintained for at least six (6) years after termination of this Agreement.

20. The parties are associated with each other only for the purposes and to the extent set forth in this Agreement. Each party is, and shall be, a public agency separate and distinct from the other party and shall have the right to supervise, manage, operate, control, and direct performance of the details incident to its duties under this Agreement. Nothing contained in this Agreement shall be deemed or construed to create a partnership or joint venture, to create relationships of an employer-employee or principal-agent, or to otherwise create any liability for one agency whatsoever with respect to the indebtedness, liabilities, and obligations of the other agency or any other party.

21. In connection with the performance of work under this Agreement, the parties agree not to discriminate against any employee or applicant for employment because of race, creed, color, national origin, sex, sexual orientation or age, including, without limitation, with regard to employment, upgrading, demotion or transfer, recruitment or recruitment advertising layoff or termination, rates of pay or other forms of compensation, and selection for training, including, without limitation, apprenticeship. The parties further agree to insert this provision in all subcontracts hereunder, except subcontracts for standard commercial supplies or raw materials.

22. Neither party shall assign, transfer or delegate any rights, obligations or duties under this Agreement without the prior written consent of the other party.

23. The parties hereto represent and warrant that the person executing this Agreement on behalf of each party has full power and authority to enter into this Agreement and that the parties are authorized by law to engage in the cooperative action set forth herein.

24. Pursuant to NRS 239.010, information or documents may be open to public inspection and copying. The parties will have the duty to disclose unless a particular record is confidential by law or a common law balancing of interests.

25. Each party shall keep confidential all information, in whatever form, produced, prepared, observed, or received by that party to the extent that such information is confidential by law or otherwise required to be kept confidential by this Agreement.

26. This Agreement constitutes the entire agreement of the parties and such is intended as a complete and exclusive statement of the promises, representations, negotiations, discussions, and other agreements that may have been made in connection with the subject matter hereof. Unless an integrated attachment to this Agreement specifically displays a mutual intent to amend a particular part of this Agreement, general conflicts in language between any such attachment and this Agreement shall be construed consistent with the terms of this Agreement. Unless otherwise expressly authorized by the terms of this Agreement, no modification or amendment to this Agreement shall be binding upon the parties unless the same

is in writing and signed by the respective parties hereto and approved by the Nevada Attorney General.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first above written.

CITY OF LAS VEGAS

Carolyn G. Goodman
Mayor

Attest:

LuAnn D. Holmes, MMC
City Clerk

Approved as to Form:

John S. Ridilla 6/24/19
John S. Ridilla Date
Deputy City Attorney

State of Nevada, acting by and through its DEPARTMENT OF TRANSPORTATION

Director

Approved as to Legality and Form:

Deputy Attorney General

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
48

DEPARTMENT: City Attorney **CONSENT**
DIRECTOR: Brad Jerbic

SUBJECT:
RESOLUTIONS:

R-29-2019 - For possible action to approve a Resolution updating the procedure for filing objections to City ordinances or resolutions which have an impact on business - All Wards

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
This resolution will update the procedure for filing objections to City ordinances or resolutions which have an impact on business, pursuant to the requirements of NRS 237.030 et seq. The updated procedure reflects changes regarding the procedure that were adopted during the 2019 Session of the Nevada Legislature.

RECOMMENDATION:
It is recommended that the City Council adopt this Resolution and authorize its execution on behalf of the City.

BACKUP DOCUMENTATION:
1. Resolution No. R-29-2019
2. Procedure for Filing Objections

R-29-2019

RESOLUTION UPDATING THE PROCEDURE FOR FILING OBJECTIONS TO CITY ORDINANCES OR RESOLUTIONS WHICH HAVE AN IMPACT ON BUSINESS (NRS 237.030 ET SEQ.)

WHEREAS, during its 1999 legislative session, the Nevada Legislature adopted provisions now codified in NRS 237.030 et seq., requiring local governments to consider and evaluate the impact on business of certain types of legislation; and

WHEREAS, NRS 237.100 establishes a process by which a business may object to certain types of local legislation, and specifically requires local governments to provide a procedure for pursuing such objections; and

WHEREAS, by means of Resolution R-5-2000, the City Council adopted such a procedure for the City, and amended that procedure by means of Resolution R-14-2017 because of intervening changes to NRS 237.030 et seq.; and

WHEREAS, in its regular session of 2019, the Nevada Legislature again amended the provisions of NRS 237.030 et seq. in a number of respects; and

WHEREAS, the City Council desires to update the procedure adopted for the City in 2000 and updated in 2017 to take into account the most recent legislative changes.

NOW, THEREFORE, BASED UPON THE FOREGOING, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS, AS FOLLOWS:

1. The attached procedure for filing objections is adopted.

2. Copies of the attached procedure shall be maintained in the Office of the City Clerk.

3. Staff is authorized to develop any forms deemed appropriate for use in connection with the attached procedure.

. . .

. . .

. . .

. . .

. . .

4. This Resolution and attached procedure supersede R-14-2017 and the procedure adopted pursuant thereto.

5. This Resolution shall become effective October 1, 2019.

PASSED, ADOPTED, AND APPROVED this _____ day of _____, 2019.

CITY OF LAS VEGAS

BY _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM

_____ 7-1-19
Val Steed, Date
Deputy City Attorney

PROCEDURE FOR FILING OBJECTIONS TO CITY ORDINANCES OR RESOLUTIONS WHICH HAVE AN IMPACT ON BUSINESS (NRS 237.030 ET SEQ.)

1. If a business believes it is aggrieved by an ordinance or resolution adopted by the City Council, the business may object by filing a petition in writing with the City Clerk, at 495 S. Main Street, 2nd Floor, Las Vegas, Nevada 89101.

2. The City will accept such petitions for a period of thirty (30) days following approval of the subject ordinance or resolution for one of the following reasons:

a. The City failed to prepare a business impact statement as required pursuant to NRS Chapter 237;

b. The business impact statement prepared by the City was inaccurate, incomplete or did not adequately consider or significantly underestimated the economic effect of the rule on businesses; or

c. The City failed to comply with any of the requirements of NRS 237.030 et seq. before adopting the ordinance or resolution.

3. Upon receipt of a petition, the City Clerk will forward a copy to the City Attorney, the Department or agency which generated the legislative action, and the City Manager.

4. Staff will consider the merits of the petition and forward a recommendation to the City Council.

5. The City Council will determine if the petition has merit and direct staff accordingly.

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
49

DEPARTMENT: Economic & Urban Development **CONSENT**
DIRECTOR: Bill Arent

SUBJECT:
RESOLUTIONS:

R-30-2019 - For possible action to approve a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Office Tenant Incentive Program (OTIP) Agreement between the RDA and Parkway Center, LLC (Owner) located at 100 North City Parkway, Suite 1750 (APN 139-27-410-021), to be in compliance with and in furtherance of the goals and objectives of the RDA - Redevelopment Area Ward 5 (Crear) [NOTE: This item is related to RDA Item 6 (RA-6-2019)]

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
This is related to a Redevelopment item regarding assisting Parkway Center, LLC with the cost of improvements to the property located at 100 North City Parkway, Suite 1750 (APN 139-27-410-021). Approval will adopt findings that the OTIP Agreement is in compliance with and furtherance of the goals and objectives of the RDA and the Redevelopment Plan.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
1. Resolution No. R-30-2019
2. Public Purpose Impact Analysis Report
3. Site Map

RESOLUTION NO. R-30-2019

RESOLUTION CONSENTING TO CERTAIN UNDERTAKINGS OF THE CITY OF LAS VEGAS REDEVELOPMENT AGENCY IN CONNECTION WITH THE OFFICE TENANT INCENTIVE PROGRAM AGREEMENT ("OTIP") BETWEEN THE CITY OF LAS VEGAS REDEVELOPMENT AGENCY ("AGENCY") AND Parkway Center, LLC. ("OWNER") FOR THE PROJECT CONCERNING THE DEVELOPMENT OF IMPROVEMENTS TO REAL PROPERTY DESCRIBED AS APN 139-27-410-021

WHEREAS, the City of Las Vegas Redevelopment Agency (the "Agency") adopted on March 5, 1986, that plan of redevelopment entitled, to-wit: the Redevelopment Plan for the Downtown Las Vegas Redevelopment Area pursuant to Ordinance 3218, which Redevelopment Plan has been subsequently amended on February 3, 1988, by Ordinance 3339; April 11, 1992, by Ordinance 3637, on November 4, 1996, by Ordinance 4036, on December 17, 2003, by Ordinance 5652 and on May 17, 2006, by Ordinance 5830, and on December 16, 2015, by Ordinance 6448 (the "Redevelopment Plan"); and

WHEREAS, the Redevelopment Plan identifies and designates an area within the corporate boundaries of the City of Las Vegas (the "Redevelopment Area") as in need of redevelopment in order to eliminate the environmental deficiencies and blight existing therein; and

WHEREAS, the Agency approved on July 17, 2019 the form for the Office Tenant Incentive Agreement, the OTIP Participation Affidavit and Employment Plan, and the OTIP Manual, in order to provide funding to owners of commercial properties located within the Redevelopment Area for the purpose of making improvements to the interior tenant space of such commercial properties ; and;

WHEREAS, Parkway Center, LLC (the "OWNER") the owner of real property and improvements located at 100 North City Parkway, Suite 1750, and which parcel is commonly known as APN 139-27-410-021 (the "Site"); and

WHEREAS, Parkway Center, LLC (the "OTIP PARTICIPANT") is the owner of the real property located at 100 North City Parkway, Suite 1750, and is undertaking certain exterior improvements to the property or the redevelopment of an underdeveloped property in accordance with the OTIP; and

WHEREAS, the City Council of the City of Las Vegas has considered the findings that the development of improvements to a building, facilities, structures or other improvements to be located at the Site are of benefit to the Redevelopment Area or the immediate neighborhood in which the Redevelopment Area is located; and

WHEREAS, the City Council of the City of Las Vegas has considered the findings that no other reasonable means of financing the building, facilities or structures or other improvements on the Site are available; and

WHEREAS, the City Council of the City of Las Vegas has considered the undertakings of the Agency in connection with the OTIP Agreement (the "Agreement" and attached hereto as Exhibit A), which provides for the contribution of funds to Parkway Center, LLC for making physical, interior improvements to the building or property located on the Site, all as more fully set forth in the Agreement.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Council of the City of Las Vegas hereby finds and determines that the development of building, facilities, structures or other improvements on the Site are of benefit to the Redevelopment Area or the immediate neighborhood in which the Redevelopment Area is located; and

RESOLVED FURTHER, that the City Council of the City of Las Vegas hereby finds and determines there are no reasonable means of financing those building, facilities, structural or other improvements on the Site; and

RESOLVED FURTHER, that the City Council of the City of Las Vegas hereby consents to the undertakings of the Agency in connection with the Agreement with the "Owner" for the Project concerning the development on the Site.

THE FOREGOING RESOLUTION was passed, adopted and approved this _____ day of _____, 2019.

CITY OF LAS VEGAS

By_____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____

CITY CLERK

APPROVED AS TO FORM:

M. [illegible] 6-27-19
_____
Date

Exhibit A

CITY OF LAS VEGAS REDEVELOPMENT AGENCY
OFFICE TENANT INCENTIVE AGREEMENT

(Owner)

THIS OFFICE TENANT INCENTIVE AGREEMENT (the "Agreement") is entered into this _____ day of _____, 2019, by and between the CITY OF LAS VEGAS REDEVELOPMENT AGENCY, a public body organized and existing under the community development laws of the State of Nevada (hereinafter referred to as the "Agency") and Parkway Center, LLC, a Nevada limited liability company (hereinafter referred to as the "Owner").

Recitals

WHEREAS, the Agency administers funds of the Agency for the purposes of assisting business owners and landlords to attract or maintain businesses in the Agency redevelopment area and to support investment into existing commercial structures in the Agency redevelopment area and to attract to or maintain jobs in such redevelopment area; and

WHEREAS, in furtherance of the Redevelopment Plan (the "Redevelopment Plan") for the City of Las Vegas Redevelopment Area 1 and 2 (the "Redevelopment Area"), the Agency approved an Office Tenant Incentive Program (the "OTIP") for the purpose of assisting business owners and landlords with office facility upgrades to make them more competitive and create quality jobs and capital investment in the redevelopment areas; and

WHEREAS, Owner has agreed in the lease of the Tenant Space (defined below) to construct the Tenant Improvements (defined below); and

WHEREAS, the Agency shall reimburse the Owner for any Pre-approved Qualified Interior Tenant Improvements ("Tenant Improvements"), which the Agency has determined are significant in character, up to a maximum of Fifty Thousand Dollars and 00/100 ($50,000.00) (the "Agency Funds"), which is equal to no more than ten percent (10%) of the cost of the Tenant Improvements in order to ensure a high leveraging of public resources; and

WHEREAS, the Owner desires to participate in the OTIP pursuant to the terms and provisions of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the Agency and Owner do hereby agree as follows:

SECTION 1: SCOPE OF AGREEMENT. The purpose of this Agreement is to effectuate the Redevelopment Plan by contributing funds for Tenant Improvements to that certain office space described in Attachment "1", attached and incorporated herein by reference ("Tenant Space"). Implementation of this Agreement will further the goals and objectives of the Redevelopment Plan. This Agreement is subject to the provisions of the Redevelopment Plan which the City Council of the City of Las Vegas adopted on March 5, 1986, by Ordinance No. 3218, as amended. Said Redevelopment Plan, as it now exists and as it may be subsequently amended, is incorporated herein by reference and made a part hereof as though fully set forth herein.

SECTION 2: PARTIES TO THE AGREEMENT. Agency is a public body, corporate and politic, exercising governmental functions and powers, and organized and existing under the Community Redevelopment Law of the State of Nevada (NRS 279.382, et seq.). The principal office of the Agency is located at 495 S. Main Street, Las Vegas, Nevada, 89101. "Agency", as used in this Agreement, includes the City of Las Vegas Redevelopment Agency and any assignee of or successor to its rights, powers and responsibilities.

The Owner hereby warrants that it is the owner of the building where the Tenant Space is located as of the Effective Date of this Agreement (as defined hereinafter). Such ownership is demonstrated by Attachment "2", "Proof of Ownership", which is attached hereto and is incorporated herein by reference.

Landlord hereby warrants that Tenant is the tenant of the Tenant Space under a lease for a fixed term of no less than five (5) years as evidenced by Attachment "3" "Proof of Leasehold Interest" attached hereto and hereby made a part of this Agreement. Owner hereby warrants that (i) the lease of Tenant Space obligates Owner to construct the Tenant improvements for the benefit of Tenant and (iii) Attachment 3 is a true and correct description of the lease for the Tenant Space.

SECTION 3: IMPROVEMENTS TO THE TENANT SPACE AND PROJECT BUDGET. Owner shall complete the Tenant Improvements according to the Scope of Work and Tentative Schedule of Tenant Improvements, which is attached hereto as Attachment " 4 " and by this reference is made a part hereof. The Scope of Work and Tentative Schedule of Tenant Improvements shall provide a line item budget, acceptable to the Agency, for all work to be performed. Within thirty (30) days of execution of this Agreement by the Agency, Owner agrees to commence, or cause the commencement of the Tenant Improvements, pursuant to the plans and other documents submitted by Owner and approved by Agency in accordance with the OTIP Guidelines. The Tenant Improvements shall be completed within one hundred eighty (180) days of commencement of work. Additional time may be given for completion of the Tenant Improvements upon approval of the Agency, which approval shall be at the sole and absolute discretion of Agency. The Tenant Improvements also shall be referred to as the "Project" hereinafter. The Agency during construction of the Tenant Improvements shall maintain a right of access to the Tenant Space in order to determine the status of the construction of the Tenant Improvements and compliance with this Agreement, provided that the Agency gives the Owner a minimum of twenty-four (24) hours written, advance notice prior to entering the office building. Owner and Tenant acknowledge and agree that Agency has agreed to enter into this Agreement in reliance upon Owner's strict agreement to commence and complete the Tenant Improvements by the required dates and any failure of Owner to commence and complete the Tenant Improvements by the required dates will be a material default of Owner under this Agreement giving Agency the right to immediately terminate this Agreement.

Owner hereby acknowledge and agree that (i) Agency is not involved in any way with the design and construction of the Tenant Improvements, (ii) Agency does not warrant in any manner the suitability or construction of the Tenant Improvements, (ii) except for the payment of the Agency Funds pursuant to the terms of this Agreement, Agency is not in any way or manner obligated or liable for the payment of the cost of the Tenant Improvements, (iii) Owner hereby release and waive any and all claims and causes of action against Agency in any way related to the design, construction and payment for the Tenant Improvements except for the payment of the Agency Funds pursuant to the terms of this Agreement and (iv) Owner hereby agree to indemnify and hold harmless Agency from any from and against any and all liens, demands, liabilities, causes of action, judgments, costs, claims, damages, suits, losses and expenses, or any combination thereof, including attorneys' fees, of any nature, kind or description, relating in any way to the Tenant Improvements.

SECTION 4: CONTRACTOR SELECTION REQUIREMENTS. If the Project exceeds $10,000, then the Owner in compliance with NRS 279.498 must obtain three (3) or more competitive bids from properly licensed contractors. If Owner is unable to obtain three (3) or more competitive bids, Owner shall provide the Agency, upon request, with documentation detailing when and which licensed contractor(s) were contacted.

SECTION 5: DISBURSEMENT OF AGENCY FUNDS. Disbursement of the Agency Funds shall be made to as directed in writing by Owner upon completion of all of the following conditions for the benefit of Agency:

1. A certificate of occupancy has been issued permitting occupancy of the Tenant Space by Tenant and indicating that the Tenant Improvements are in compliance with the Scope of Work set forth in Attachment "4".
2. A Certificate of Completion of Construction, in the form of Attachment "6", has been issued and recorded on the building parcel.
3. Owner has executed and provided to Agency the certification in the form of Attachment "5" attached hereto and by this reference made a part hereof stating, among other matters, that Tenant has

taken occupancy of the Tenant Space, Tenant has no less than 20 full time employees working in the Tenant Space and that the lease for the Tenant Space is in full force and effect with no default by Owner or Tenant thereunder.

Upon receipt of the above, Agency shall disburse the Agency Funds within thirty (30) days to Owner.

SECTION 6: COMPLIANCE WITH APPLICABLE LAWS, RULES AND/OR REGULATIONS. Owner must comply with all development standards applicable to the Scope of Work, including but not limited to, the Zoning Code of the City of Las Vegas, the Building Code of the City of Las Vegas, and the Fire Code of the City of Las Vegas and all other applicable laws, rules and/or regulations.

SECTION 7: RESERVED

SECTION 8: UNRELATED IMPROVEMENTS. Nothing herein is intended to limit, restrict or prohibit the Owner and/or Tenant from undertaking any other work in or about the subject premises which is unrelated to OTIP provided for in this Agreement.

SECTION 9: COMPLIANCE WITH THE REDEVELOPMENT PLAN AND EMPLOYMENT PLAN. The Agency finds that the Project as contemplated by this Agreement complies with the OTIP Guidelines and therefore would be deemed a substantial benefit to the Redevelopment Area. The Agency finds that the Project, upon completion, would achieve one or more of the following:

1. Encourage new commercial development;
2. Create or retain jobs for nearby residents;
3. Increase local revenues from private revenue sources;
4. Increase levels of human activity in the Redevelopment Area;
5. Possess attributes that are unique, either as to type of use or level of quality and design;
6. Require for their construction, installation or operation the use of qualified and trained labor; or
7. Demonstrate greater social or financial benefits to the community that would a similar set of buildings, facilities, structures or other improvements not paid for by the Agency.

The Agency has also considered the opinions of persons who reside in the Redevelopment Area or the immediate vicinity of the Redevelopment Area. In addition, the Agency has compared the level of spending proposed by the Agency and the projections of future revenue made on the buildings, facilities, structures or other improvements.

Owner has declared that no other reasonable means of financing are available to undertake the Tenant Improvements because the return on investment is not reasonable and the improvements are being financed through cash on hand and/or debt financing through a private lender. Furthermore Owner would not undertake the Tenant Improvements contemplated in the Agreement through resources reasonably available to Owner pursuant to the Participant Affidavit and Employment Plan, attached hereto as Attachment " 8 " and by this reference made a part hereof.

Owner has also declared and provided the Agency with an Employment Plan, which is attached hereto as Attachment "8 " and by this reference is made a part hereof. Owner, for Owner and its successors and assigns, represent that in the construction of Tenant Improvements, Owner shall not discriminate against any employee or applicant for employment because of race, color, creed, religion, sex, marital status, ancestry or national origin.

SECTION 10: CONFLICTS OF INTEREST AND DISCLOSURE REQUIREMENTS. No member, official or employee of the Agency shall have any personal interest, direct or indirect, in this Agreement, nor shall any such member, official or employee participate in any decision relating to this Agreement which affects his personal interests or the interests of any corporation, partnership or association in which he is directly or indirectly interested. Owner warrants to Agency that it not paid or given, and will not pay or give, any third party any money or other consideration for obtaining this Agreement. No member, official or employee of the Agency shall be personally liable to the Owner in the event of any default or breach by the Agency or for any amount which may become due to the Owner or on any obligations under the terms of this Agreement. Pursuant to Resolution RA-4-

99 adopted by the governing board of the Agency effective October 1, 1999, Owner warrant that they have disclosed, on the Disclosure of Principals form attached hereto as Attachment "7-A" and incorporated herein by reference, all persons and entities holding more than 1% (one percent) interest in Owner or any principal member of Owner. Until such time as the Agency Funds are disbursed, Owner shall notify Agency in writing of any material change in the above disclosure within fifteen (15) days of any such change.

SECTION 11: DEFAULTS AND REMEDIES. Failure or delay by either party to perform any term or provision of this Agreement constitutes a default under this Agreement ("Event of Default"). In connection with any default of Owner or Agency under this Agreement, the non-defaulting party shall have the right to terminate immediately this Agreement upon written notice to the defaulting party without any cure right for the benefit of the defaulting party. In addition to any other rights or remedies, either party may institute legal action to cure, correct or remedy any default, to recover damages for any default or to obtain any other remedy consistent with the purpose of this Agreement. Such legal actions must be instituted in the District Court, County of Clark State of Nevada, in any other appropriate court in that county, or in the Federal District Court in the appropriate district of Nevada. The non-defaulting party may also, at its option, cure the breach and sue in any court of proper jurisdiction to collect the reasonable costs incurred by virtue of curing or correcting the defaulting party's breach. Further, the non-defaulting party may file legal action to require the defaulting party to specifically perform the terms and conditions of this Agreement. Upon occurrence of an Event of Default by either the Owner or the Agency during the existence of this Agreement, the non-defaulting party, at its option, may institute an action for specific performance of the terms and obligations (including the payment of any monetary obligation) of this Agreement. During the existence of this Agreement and upon the occurrence of an Owner Event of Default, the Agency shall have the right to terminate, and this Agreement shall so terminate, the date that the written notice of termination is received by the Owner or such other date as may be specified in the written notice. In the event of termination of this Agreement by the Agency, then any obligation of Agency to disburse the Agency Funds shall terminate and be null and void and (ii) Owner agrees to return any and all Agency Funds heretofore paid shall be returned to Agency pursuant to the provisions of this Agreement within ten (10) calendar days after the termination date. Failure to return any and all Agency Funds paid to the Owner shall entitle the Agency to sue the Owner for specific performance as provided in this Section and to pursue the Agency's remedies, legal and equitable, for such damages as permitted by law.

SECTION 12: SUBSEQUENT AGENCY APPROVALS. Any approvals of the Agency required and permitted by the terms of this Agreement may be given by the Executive Director of the Agency or such other person that the Agency designates in writing.

SECTION 13: TERM. Unless sooner terminated pursuant to the terms of this Agreement, the term of this Agreement shall expire at the earlier of (i) disbursement of the Agency Funds by Agency and (ii) 180 days after the Effective Date.

SECTION 14: SEVERABILITY. Whenever possible, each provision of this Agreement shall be interpreted in such a manner as to be valid under applicable law, but if any provision shall be invalidated, it shall be deemed to be severed from this Agreement and the remaining provisions shall remain in full force and effect.

SECTION 15: GOVERNING LAW. The interpretation and enforcement of this Agreement shall be governed in all respects by the laws of the State of Nevada.

SECTION 16: NOTICES. Notices shall be in writing and shall be given by personal delivery, by deposit in the United States mail, certified mail, return receipt requested, postage prepaid, or by express delivery service, freight prepaid, in each case by delivery to the Owner and the Agency at the addresses set forth in this Agreement or at such other address as a party may designate in writing. The date notice given shall be the date on which the notice is delivered, if notice is given by personal deliver, or five (5) calendar days after the date of deposit in the mail or with an express delivery service, if the notice is sent through the United States mail.

If to the Agency: City of Las Vegas Redevelopment Agency
495 S. Main Street, 6th Floor

Las Vegas, NV 89101

If to the Owner: Parkway Center, LLC
Attn: Richard Worthington
100 North City Parkway, Ste 1700
Las Vegas, NV 89106

SECTION 17: CAPTIONS. The captions contained in this Agreement are for the convenience of the parties and shall not be construed so as to alter the meaning of the provisions of the Agreement.

SECTION 18: ENTIRE AGREEMENT, WAIVERS AND AMENDMENTS. THIRD PARTY RIGHTS. This Agreement is executed in three duplicate originals, each of which is deemed to be an original. This includes Attachment "1" through Attachment "8" inclusive, attached hereto and incorporated herein by reference, all of which constitute the entire understanding and agreement of the parties. This Agreement integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreements between the parties with respect to all or any part of the subject matter hereof. All waivers of the provisions of this Agreement must be in writing and signed by the appropriate authorities of Agency and Owner and no waiver of one provision shall be construed as a waiver of that provision in the future or as a waiver of any other provision. All amendments hereto must be in writing and signed by the appropriate authorities of Agency, and Owner. Nothing in this Agreement shall confer upon any other third party of any type or sort other than the Owner and Agency any rights or remedies under or by reason of this Agreement

SECTION 19: COUNTERPARTS; ELECTRONIC DELIVERY. This Agreement may be executed in counterparts, all such counterparts will constitute the same contract and the signature of any party to any counterpart will be deemed a signature to, and may be appended to, any other counterpart. Executed copies hereof may be delivered by facsimile or e-mail and upon receipt will be deemed originals and binding upon the parties hereto, regardless of whether originals are delivered thereafter.

SECTION 20: TIME FOR AGENCY TO ACCEPT AGREEMENT. This Agreement has been approved on _____, 201 by the City of Las Vegas Redevelopment Agency. The effective date of this Agreement shall be the date when this Agreement has been signed by the Agency ("Effective Date").

EXECUTION BLOCKS ON NEXT PAGE

Date of Agency Approval:

_____, 2019

ATTEST:

_____
LUANN D. HOLMES, MMC
Secretary

APPROVED AS TO FORM:

_____
Counsel to the Agency Date

CITY OF LAS VEGAS REDEVELOPMENT AGENCY

By: _____
CAROLYN G. GOODMAN, CHAIR
"Agency

Parkway Center, LLC

By: _____
Richard Worthington, President
"Owner"

LIST OF ATTACHMENTS

ATTACHMENT "1 "	DESCRIPTION OF TENANT SPACE
ATTACHMENT "2"	PROOF OF OWNERSHIP
ATTACHMENT "3"	PROOF OF LEASEHOLD INTEREST
ATTACHMENT "4 "	SCOPE OF WORK AND TENTATIVE SCHEDULE OF IMPROVEMENTS
ATTACHMENT "5"	CERTIFICATION LETTER
ATTACHMENT "6"	CERTIFICATE OF COMPLETION OF CONSTRUCTION
ATTACHMENT "7"	DISCLOSURE OF PRINCIPALS – PROPERTY OWNER
ATTACHMENT "8 "	PARTICIPANT AFFIDAVIT & EMPLOYMENT PLAN

ATTACHMENT 1

DESCRIPTION OF TENANT SPACE

The landlord is taking one empty vacant office space along with half of an existing (operational & leased) space and combining them into one office to accommodate a tenant with over 103 employee head count. The reconfiguring of the two offices will include demolition of some the existing improvements to make way for a brand new tenant improvements for a larger office space.

ATTACHMENT 2

Proof of Ownership

See Attached

20060131-0003046

Fee: $21.00 RPTT: $5.10
N/C Fee: $25.00

01/31/2006 12:54:13
T20060018955
Requestor:
LAWYERS TITLE OF NEVADA

Frances Deane KGP
Clark County Recorder Pgs: 9

Assessor's Parcel No 139-27-410-008
N2107531 JG

WHEN RECORDED, RETURN TO,
AND MAIL TAX STATEMENTS TO:

Parkway Center LLC
3111 South Maryland Parkway
Las Vegas, Nevada 89109

GRANT DEED

For valuable consideration, the receipt of which is hereby acknowledged,

CITY PARKWAY IV-A, INC., a Nevada not-for-profit corporation (herein called "Grantor"), acting to carry out the Redevelopment Plan (herein called "Redevelopment Plan") for the Downtown Las Vegas Redevelopment Area, under the Community Redevelopment Law of the State of Nevada, hereby grants, bargains, sells and conveys to PARKWAY CENTER LLC, a Nevada limited liability company (herein called "Grantee") whose address is 3111 South Maryland Parkway, Las Vegas, Nevada 89109, the real property (the "Property") legally described in the document attached hereto, labeled Exhibit A, and incorporated herein by this reference.

1. The Property is conveyed subject to the Disposition and Development Agreement dated January 22, 2003 and subject and pursuant to an Option to Acquire and Development Agreement (the "OADA") entered into by and between the Grantor and the Grantee and dated November 21, 2003. The Property is also conveyed subject to those easements of record and other title exceptions listed on Exhibit B attached hereto and incorporated herein by this reference.

2. The property shall be used for the sole purpose of constructing a Class A office building of no less than 200,000 square feet and any related improvements and appurtenances related thereto, including, without limitation, surface parking and structured parking improvements containing no less than 1,250 parking spaces.

3. Grantor hereby gives notice that portions of the Property are currently affected by contamination of the soil and groundwater. Therefore, Grantee (and its successors in title to the Property) should contact the State of Nevada Division of Environmental Protection (or its successor agency with jurisdiction to require clean up, correction, or other remediation of soil or groundwater contamination) prior to commencement of any building, construction or excavation activities on the Property in order to obtain information on past remediation or any necessary approvals for protective measures to be taken in conducting any such activities.

4. Condition of Property. Grantee and its representatives have been afforded the opportunity to make such inspections of the Property and matters related thereto as

Grantee and its representatives desired, including, without limitation, governmental laws and regulations to which the Property is subject, and Grantee accepts the Property upon the basis of its review and determination of the applicability and effect of such laws and regulations. Grantee acknowledges and agrees that the Property is sold and conveyed to and accepted by Grantee in an "as-is" condition with all faults, except as otherwise provided below. Grantor makes no representations or warranties of any kind whatsoever, either express or implied, with respect to the Property. In particular, but without limitation, Grantor makes no represenations or warranties with respect to the use, condition, title, occupation or management of the Property, compliance with applicable statutes, laws, codes, ordinances, regulations or requirements relating to leasing, zoning, subdivision, planing, building, fire, safety, health or environmental matters, compliance with covenants, conditions and restrictions (whether or not of record), other local, municipal, regional, state or federal requirements, or other statutes, laws, codes, ordinances, regulations or requirements. Grantee acknowledges that it has accepted this deed on the basis of Grantee's own investigation of the physical and environmental conditions of the Property, including the subsurface conditions, and Grantee assumes the risk that adverse physical and environmental conditions may not have been revealed by its investigation.

5. Grantee, for itself, its successors and assigns, and for each and every subsequent owner or tenant of any portion of the Property (collectively, the "Releasing Parties"), hereby waives, releases, remises, acquits and forever discharges Grantor, its affiliates, their employees, agents, officers, successors and assigns, of and from any and all claims, suits, actions, causes of action, demands, rights, damages, costs, expenses, penalties, fines or compensation whatsoever, direct or indirect, which Grantee or any other Releasing Party now has or which Grantee or any other Releasing Party may have in the future on account of or in any way arising out of or in connection with any contamination or environmental condition of the Property, or any other physical or environmental condition of the Property, or the violation of any federal, state of local law, ordinance, rule or regulation, including, without limitation, the Toxic Substances Control Act, the Comprehensive Environmental Response, Compensation and Liability Act, and the Resource Conservation and Recovery Act, arising out of or in connection with any physical or environmental condition of the Property.

6. Subject to the provisions of paragraph 7 below, the covenants contained in this Grant Deed shall be binding for the benefit of the Grantor, its successors and assigns and the City of Las Vegas. Such covenants shall bind each and every owner of the Property as covenants running with the land. The Grantor and such aforementioned parties, in the event of any breach of any such covenants, shall have the right to exercise all of the rights and remedies and to maintain any actions at law or suits in equity or other proper proceedings to enforce the curing of such breach. The covenants contained in this Grant Deed shall be for the benefit of and shall be enforceable only by the Grantor, its successors and such aforementioned parties. Grantee further agrees to be bound by the provisions of paragraphs (a) through (e) except for paragraph (d)(ii)(D) of that certain Grant, Bargain and Sale Deed recorded in the Clark County Reorder of Deeds on June

14, 2001 as instrument number 00136 in book 200110614 whereby the Union Pacific Railroad Company conveyed the Property to Grantor.

7. The OADA provides, among other things, that Grantee's failure to perform thereunder may result in Grantor's exercising Grantor's rights to repurchase, re-enter and repossess as set forth in the OADA, provided, however, that in connection with Grantor's exercise of such Grantor rights, Grantor shall repay in full any mortgage, deed of trust or other security instrument permitted by the OADA. The provisions in this paragraph 7 (and the referred to rights of Grantor in the OADA) shall remain in effect until the earlier of (a) construction of the improvements are completed pursuant to Section 6 of the OADA, or (b) a foreclosure (or deed-in-lieu thereof) under any mortgage, deed of trust or other security instrument permitted by the OADA.

8. In the event of any express conflict between this Grant Deed and the OADA, the provisions of this Grant Deed shall control.

ASSESSOR'S COPY

IN WITNESS WHEREOF, the Grantor and Grantee have caused this instrument to be executed on their behalf by their respective officers thereunto duly authorized this 30 day of January, 2006.

CITY PARKWAY IV-A, a Nevada corporation

By: Douglas Selby
PRESIDENT, Douglas A Selby
"GRANTOR"

APPROVED:
Michael C. Niarchos, Esq.
Counsel for Grantor

The provisions of this Grant Deed are hereby approved and accepted.

1-30- 2006

PARKWAY CENTER, LLC,
a Nevada limited liability company

By: Irwin A. Molasky
Title: MG. Member

"GRANTEE"

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

On this 30th day of January, 2006, Douglas A. Selby before me personally appeared and executed the foregoing Grant Deed on behalf of City Parkway V, Inc.

Notary Public State of Nevada
COUNTY OF CLARK
CECELIC. GREEN
My Appointment Expires
March 7, 2008
No. 96-1893-1

NOTARY PUBLIC
My commission expires: 3-7-08

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

On this 30th day of January, 2006, Irwin A. Molasky before me personally appeared and executed the foregoing Deed on behalf of Parkway Center, LLC.

NOTARY PUBLIC
My commission expires: 3-8-08

LINDA CREGER
Notary Public State of Nevada
No. 04-87684-1
My appt. exp. March 8, 2008

ASSESSOR COPY

EXHIBIT A – legal description

All that certain real property situated in the County of Clark, State of Nevada, described as follows:

Being a portion of Lot Four (4) of PARKWAY CENTER (a commercial subdivision) in the City of Las Vegas, County of Clark, State of Nevada as per map recorded in Book 53, Page 61 of Plats in the Office of the County Recorder of said County, situated in the Southwest Quarter (SW ¼) of Section 27, Township 20 South, Range 61 East, M.D.M., more particularly described as follows:

COMMENCING at the Southeast Corner (SE Cor.) of said Lot Four (4), said point being on the Northerly Right-of-Way line of Grand Central Parkway, being a 100.00 foot wide public roadway as dedicated per said Book 53, Page 61 of Plats;
Thence along said line the following Two (2) courses:

North 62°04'10" West, 68.77 feet to a point of curvature;
Thence Westerly, along the arc of a curve to the left, concave Southerly, having a radius of 450.00 feet, through a central angle of 24°18'15", an arc distance of 190.90 feet to the Point of Beginning, a radial line to said point bears North 03°37'29" East;
Thence continuing along said line, the following Three (3) courses: Westerly, along the arc of a curve to the left, concave Southerly, having a radius of 450.00 feet, through a central angle of 19°19'21", an arc distance of 151.76 feet;
Thence South 74°18'09" West, 187.93 feet to a pint of curvature;
Thence Northwesterly, along the arc of a curve to the right, concave Northeasterly, having a radius of 25.00 feet, through a central angle of 90°00'00", an arc distance of 39.27 feet to the Westerly line of said Lot Four (4), said point also being on the Easterly Right-of-Way line of "F" Street, being a 60.00 foot wide public roadway as dedicated per said Book 53, Page 61 of Plats;
Thence along said line the following Three (3) courses:
North 15°41'51" West, 43.23 feet to a point of curvature;
Thence Northerly, along the arc of a curve to the right, concave Easterly, having a radius of 270.00 feet, through a central angle of 14°24'02", an arc distance of 67.86 feet;
Thence North 01°17'49" West, 43.11 feet to the Southerly line of that certain FINAL ORDER OF CONDEMNATION recorded in Book 991103, Instrument Number 00619 of Official Records;
Thence along said line the following Two (2) courses:
North 42°32'16" East, 111.14 feet;
Thence North 74°47'09" East, 492.89 feet to a line being 254.00 feet Westerly and parallel with measured at right angles from the Easterly line of said Lot Four (4);
Thence along said parallel line South 27°55'16" West, 354.77 feet to the Point of Beginning.

Said Parcel also shown as Phase 2 on that certain Record of Survey on file in File 133 of Surveys, Page 92 in the Office of the County Recorder, Clark County, Nevada.

EXCEPTING THEREFROM that portion conveyed to the City of Las Vegas by that certain Grant Deed recorded November 6, 2003 in Book 20031106 as Document No. 02520 of Official Records.

RECORDING REQUESTED BY

legal rev. (010698)

EXHIBIT B

SCHEDULE OF TITLE EXCEPTIONS

PERMITTED EXCEPTIONS

1. Taxes for the fiscal year 2005-2006 are Exempt.
   Assessor's Parcel Number: [139-27-410-008]

2. A lien of supplemental taxes, if any, assessed pursuant to the provisions of the Nevada Revised Statute 361.260

3. The property described herein is located within the boundaries of the City of Las Vegas and is subject to any fees that may be charged against said property by the hereinbefore mentioned district.

4. Water rights, claims or title to water.

5. Reservation in the Patent from the State of Nevada
   Recorded: October 17, 1902
   Book "F" of Miscellaneous Records, Pages 230-232 of Lincoln County Records.

6. Excepting all right of access to or from the Easterly Right-of-Way line of U.S. Interstate Route 1-15, said rights having been relinquished by "ORDER OF CONDEMNATION", Case No. A-32228, District Court, in and for the County of Clark, in favor of the State of Nevada, Department of Highways, recorded September 11, 1968 in Book 899 as Document No. 721652 of Official Records.

7. The terms, covenants and provisions of that certain "CITY OF LAS VEGAS REVISED DOWNTOWN DEVELOPMENT AREA" recorded March 11, 1986 in Book 860311 Doc/Inst. No. 00777 of Official Records, and the effect of any failure to comply with same.

   Said instrument contains, among other things, provisions for rehabilitation of the downtown area financed by additional tax assessments.

   Said instrument has been revised by an instrument recorded February 11, 1988 in Book 880211 as Document No. 00382 of Official Records.

   Said instrument has been amended by an instrument recorded November 22, 1996 in Book 961122 as Document No. 00874 of Official Records.

   A "NOTICE OF ADOPTION OF AMENDMENT TO THE REDEVELOPMENT PLAN" recorded November 22, 1996 in Book 961122 as Document No. 00848, re-recorded November 25, 1996 in Book 961125 as Document No. 00566 and as set forth in Record of Survey performed by RITA M. LUMAS, filed in File LG of Local Government Plats at Page 78 recorded November 22, 1996 in Book 961122 as Document No. 00849 of Official Records.

   Reference should be made to said instrument for full particulars.

8 Order of Vacation: Any easements not vacated by that certain "ORDER OF VACATION" recorded August 7, 1992 in Book 920807 as Document No. 00831 of Official Records.

EXHIBIT B

(continued)

SCHEDULE OF TITLE EXCEPTIONS

9. Matters contained in the dedication statement or elsewhere on the tract or parcel map shown below, which among other things provides:

   Tract/Parcel Map: PARKWAY CENTER in Book 53 of Plats, Page 61

10. The terms, covenants and provisions of that certain "WATER FACILITIES INSTALLATION AGREEMENT" executed by LAS VEGAS VALLEY WATER DISTRICT AND UNION PACIFIC REALTY COMPANY recorded November 19, 1993 in Book 931119 Doc/Inst. No. 01226 of Official Records, and the effect of any failure to comply with same.

11. An easement for the purpose shown below and rights incidental thereto as set forth in a document
   Granted to: NEVADA POWER COMPANY
   Purpose: Public utilities
   Recorded: May 1, 1995
   Book: 950501 Doc/Inst. No. 01024 of Official Records

12. Lack of Abutter's Rights and Access Rights affecting that property described in the FINAL ORDER OF CONDEMNATION to the STATE OF NEVADA, on relation of its Department of Transportation, recorded November 3, 1999 in Book 991103 as Document No. 00619 of Official Records.

13. Matters contained in the dedication statement or elsewhere on the tract or parcel map shown below, which among other things provides:

   Tract/Parcel Map: PARCEL MAP in File 99 of Parcel Maps, Page 68

14. Covenants, conditions and restrictions (deleting therefrom any restrictions based on race, color or creed) as set forth in the document
   Recorded: June 14, 2001
   Book 20010614 Doc/Inst. No. 00135 of Official Records

15. The terms, covenants and provisions of that certain "COVENANTS AGREEMENT" recorded June 14, 2001 in Book 20010614 Doc/Inst. No. 00137 of Official Records, and the effect of any failure to comply with same.

16. The effect of the following Record of Survey:
   File No.: 133, Page: 92
   Recorded: October 30, 2003
   Book 20031030 Doc/Inst. No. 01309 of Official Records

17. The terms, covenants and provisions of that certain "EASEMENT AGREEMENT AND RESERVATION OF EASEMENT" recorded December 1, 2003 in Book 20031201 Doc/Inst. No. 00492 of Official Records, and the effect of any failure to comply with same.

18. An option to purchase the herein described property recorded December 1, 2003 in Book 20031201 of Official Records as Doc/Inst. No. 00494:

   Optioner: CITY PARKWAY IV A, INC., a Nevada Corporation
   Optionee: PH GSA LLC, a Nevada limited liability company
   Term: 5 years
   Disclosed by: MEMORANDUM OF OPTION TO PURCHASE

FOR REFERENCE ONLY COPY

EXHIBIT B

(continued)

SCHEDULE OF TITLE EXCEPTIONS

The terms, covenants and provisions of that certain "ASSIGNMENT OF OPTION AGREEMENT" recorded March 23, 2005 in Book 20050323 Doc/Inst. No. 03794 of Official Records, and the effect of any failure to comply with same.

19. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein.

Lessor:	CITY PARKWAY IV A, INC., a Nevada Corporation
Lessee:	PH GSA LLC, a Nevada limited liability company
Disclosed by:	MEMORANDUM OF LEASE
Term:	65 years
Recorded:	December 1, 2003
Book	20031201 Doc/Inst. No. 00495 of Official Records

20. An easement for the purpose shown below and rights incidental thereto as set forth in a document

Granted to:	LAS VEGAS VALLEY WATER DISTRICT
Purpose:	Pipelines
Recorded:	January 12, 2004
Book:	20040112 Doc/Inst. No. 00090 of Official Records

21. Order of Vacation: Any easements not vacated by that certain "ORDER OF VACATION" Recorded February 9, 2004 in Book 20040209 as Document No. 00233 of Official Records.

22. An easement for the purpose shown below and rights incidental thereto as set forth in a document

Granted to:	NEVADA POWER COMPANY
Purpose:	Public utilities
Recorded:	September 24, 2004
Book:	20040924 Doc/Inst. No. 02448 of Official Records

23. The terms, covenants and provisions of that certain "Encroachment Agreement", recorded January 3, 2006 in Book 20060103 Doc/Inst. No. 02472 of Official Records, and the effect of any failure to comply with same.

ASSESSOR - COPY

STATE OF NEVADA
DECLARATION OF VALUE

1. **Assessor Parcel Number(s)**
   a) 139-27-410-008 ✓
   b) _____
   c) _____
   d) _____

2. **Type of Property:**
   a) XX Vacant Land b) Single Fam Res
   c) Condo/Twnhse d) 2-4 Plex
   e) Apt. Bldg f) Comm'l/Ind'l
   g) Agricultural h) Mobile Home
   Other _____

FOR RECORDER'S OPTIONAL USE ONLY
Book: _____ Page: _____
Date of Recording: _____
Notes:

3. **Total Value/Sales Price of Property:** $**1,000.00**
   Deed in Lieu of Foreclosure Only (value of property) ($0.00)
   Transfer Tax Value per NRS 375.010, Section 2: $1,000.00
   Real Property Transfer Tax Due: **$5.10**

4. **If Exemption Claimed**
   a. Transfer Tax Exemption, per NRS 375.090, Section _____
   b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. **Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.**

Signature _____ **Capacity** agent

Signature _____ **Capacity** _____

SELLER (GRANTOR) INFORMATION (REQUIRED)	**BUYER (GRANTEE) INFORMATION (REQUIRED)**
Print Name: City Parkway IV A Inc	Print Name: PARKWAY CENTER LLC
Address: 400 Stewart Avenue	Address: 3111 South Maryland Parkway
City/State/Zip: Las Vegas, NV	City/State/Zip: Las Vegas, NV 89109

COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)

LAWYERS TITLE OF NEVADA, INC.
1210 S. Valley View Boulevard
Las Vegas, NV 89102

Escrow #: N2107531-100-JG2
Escrow Officer: Jane Grey

AN ADDITIONAL RECORDING FEE OF $1.00 WILL APPLY FOR EACH DECLARATION OF VALUE FORM PRESENTED TO CLARK COUNTY, EFFECTIVE JUNE 1, 2004.

2016

THIS IS NOT A CERTIFIED COPY

ATTACHMENT 3

Proof of Leasehold Interest

See Attached

This Lease is made and entered into between date by and between
Parkway Center, LLC ("the Lessor"), whose principal place of business is 100 N City Parkway, ste 140, Las Vegas, NV, 89106-4613, and whose interest in the Property described herein is that of Fee Owner, and

The United States of America ("the Government"), acting by and through the designated representative of the Department of Energy ("DOE"), Real Estate Contracting Officer (RECO) upon the terms and conditions set forth herein.

Witnesseth: The parties hereto, for the consideration hereinafter mentioned, covenant and agree as follows:

The Lessor hereby leases to the Government the Premises described herein, being all or a portion of the Property located at

100 N City Parkway,
Las Vegas, NV, 89106

and more fully described as a The Molasky Corporate Center building consisting of 20,713 ANSI/BOMA Rentable Square feet, yielding 17,553 ANSI/BOMA Usable Square Feet, the Lessor shall deliver the fully renovated premises as set forth herein by the date of Lease Commencement, together with rights to the use of 10 GSA Vehicle reserved parking spaces and 110 Employee/Visitor parking spaces and other areas as set forth herein.

LEASE TERM

To Have and To Hold the said Premises with their appurtenances for the term beginning upon acceptance of the Premises as required by this Lease and continuing for a period of

10 Years; 5 Years Firm, and 5 options, 1 year each

subject to termination and renewal rights as may be hereinafter set forth, to be used for such purposes as determined by DOE. The commencement date of this Lease, along with any applicable termination and renewal rights, shall more specifically be set forth in a Lease Amendment upon substantial completion and acceptance of the space by the Government.

In Witness Whereof, the parties to this Lease evidence their agreement to all terms and conditions set forth herein by their signatures below, to be effective as of the date of delivery of the fully executed Lease to the Lessor.

FOR THE LESSOR:

x _____

Name: Richard S. Worthington

Title: President

Date: March 11, 2019

WITNESSED BY:

_____

Name: Anna D. Jimenez

Title: Managing Agent

Date: 3-14-19

FOR THE GOVERNMENT:

x _____

Matthew J Reardon
Real Estate Contracting Officer,

Date: 13MAR2019

ATTACHMENT 4

SCOPE OF WORK AND TENTATIVE SCHEDULE OF TENANT IMPROVEMENTS

Use of Funds (Activity)	Source of Funds	Estimated Cost
General Conditions		148,974
Casework		13,440
Insulation		2,800
Doors and Hardware		8,750
Interior Glazing		187,800
Interior Partitions		58,180
Ceilings		22,092
Paint and Wall Coverings		5,601
Flooring		119,275
Specialties		1,920
Plumbing		5,000
HVAC		154,216
Electric		200,000
Total Interior Budget		**928,048**

TOTAL ESTIMATED PROJECT COSTS	$928,048
Estimated Grant	**$50,000.00**

ATTACHMENT "5"

CERTIFICATION

Date:

CITY OF LAS VEGAS REDEVELOPMENT AGENCY

Re: Lease dated , 201 between Parkway Center, LLC ("Landlord") and Department of Energy("Tenant") for 100 North City Parkway, Suite 1750 (the "Premises")
To: Las Vegas Redevelopment Agency ("RDA"):

The undersigned Landlord under the above-captioned lease (the "Lease") hereby certifies as follows in connection with that certain Office Tenant Incentive Agreement between the RDA and Parkway Center, LLC dated , 201 ("RDA Agreement"):

1. Tenant has taken occupancy of the premises which are the subject of the Lease.
2. Tenant has no less than twenty (20) full time employees employed by Tenant and working at the premises which are the subject of the Lease.
3. The Lease is in full force and effect and the tenant improvements which are the subject of the RDA Agreement are completed and accepted by Tenant.
4. There is no actual or pending default of either Tenant or Landlord under the Lease.

Landlord and Tenant hereby acknowledge that RDA is relying on this certification in disbursing funds under the RDA Agreement to Landlord.

LANDLORD:

_____

By: Richard Worthington

Its: President

ATTACHMENT "6"

Certificate of Completion of Construction

APN No.: 139-27-410-021
Recording Required by:

City of Las Vegas Redevelopment

Agency After Recording, Mail to:

Executive Director

City of Las Vegas Redevelopment
Agency 495 S. Main Street, 6th Floor

Las Vegas, Nevada 89101

CERTIFICATE OF COMPLETION
OF CONSTRUCTION

WHEREAS, pursuant to the Office Tenant Agreement ("Agreement") dated _____, 201_, the City of Las Vegas Redevelopment Agency, a public body, corporate and politic (the "Agency"), provided assistance to Parkway Center, LLC, or their permitted assignee(s) (collectively the "Owner") for construction and development of a certain redevelopment project situated in the City of Las Vegas, Nevada, described on Attachments "A" and "B", attached hereto and made a part hereof (the "Site"); and

WHEREAS, as referenced in said Agreement, the Developer shall certify to the Agency that all construction on the Site or a phased portion of the Site has been substantially completed in compliance with the Agreement; and

WHEREAS, as referenced in said Agreement, the Agency shall furnish the Owner with a Certificate of Completion upon completion of all construction, or a portion of the Site which Certificate shall be in such form as to permit it to be recorded in the Recorder's Office of Clark County; and

WHEREAS, such certificate shall be conclusive determination of satisfactory completion of the construction on the Site or a phased portion of the Site required by the Agreement.

Now, therefore:

1. The Owner hereby certifies to the Agency that all construction on the Site has been completed in compliance with the Agreement.

2. The Agency agrees and docs hereby certify that the construction of the Site have been fully and satisfactorily performed and completed as required by the Agreement.

3. Counterparts; Electronic Delivery. This Certificate of Completion may be executed in counterparts, all such counterparts will constitute the same Certification of Completion and the signature of any party to any counterpart will be deemed a signature to, and may be appended to, any other counterpart. Executed copies hereof may be delivered by facsimile or e-mail and upon receipt will be deemed originals and binding upon the Parties hereto, regardless of whether originals are delivered thereafter.

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Execution Blocks on Next Page

IN WITNESS WHEREOF, the Agency has executed this Certificate this day of , 201 .

CITY OF LAS VEGAS REDEVELOPMENT AGENCY

By: _____
CAROLYN G. GOODMAN, CHAIR
"Agency

ATTEST:

Parkway Center, LLC

_____
LUANN D. HOLMES, MMC
Secretary

By: _____
Richard Worthington, President
"Owner"

APPROVED AS TO FORM:

_____
Counsel to the Agency Date

ACKNOWLEDGEMENTS

STATE OF NEVADA)

)ss.

COUNTY OF CLARK)

On this _____ day of _____, 201 , before me, the undersigned Notary Public in and for said County and State, appeared Carolyn G. Goodman, as Chairman of the City of Las Vegas Redevelopment Agency, known to me to be the person who executed the above and foregoing instrument, and who acknowledged to me that he or she did so freely and voluntarily and for the purposes therein mentioned.

_____

Notary Public

ACKNOWLEDGEMENTS

STATE OF _____)
)ss.
COUNTY OF _____)

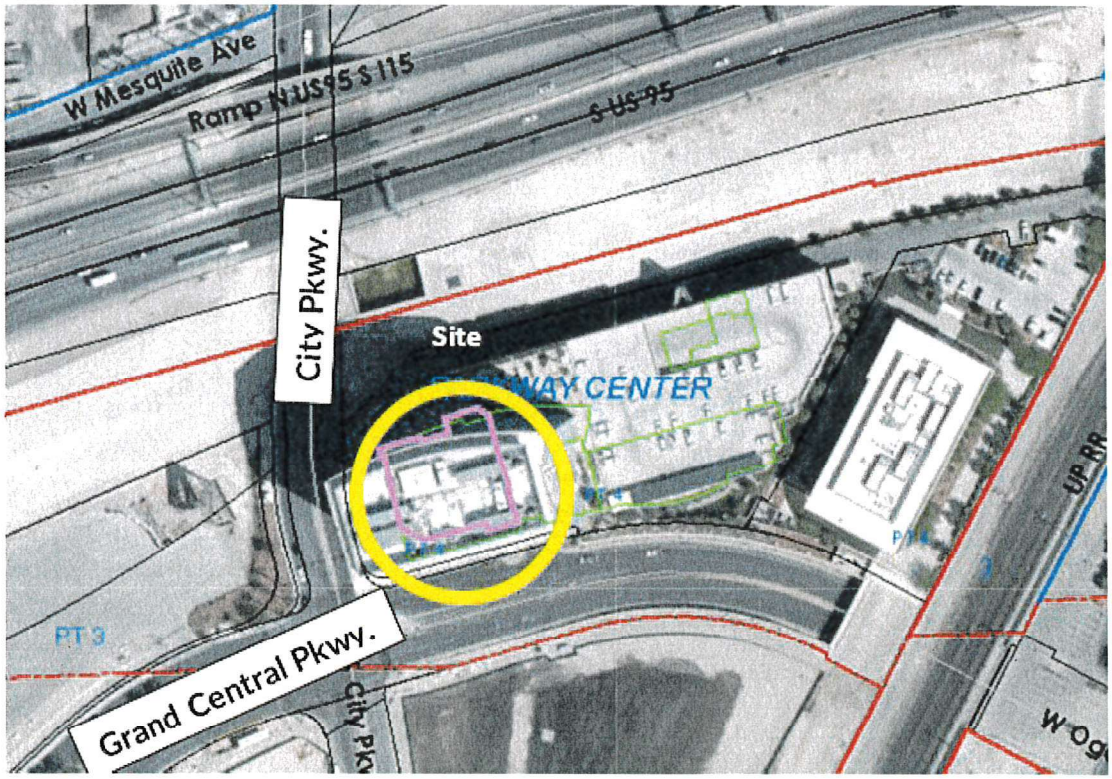
On this _____ day of _____, 201 , before me, the undersigned Notary Public in and for said County and State, appeared _____, as _____ of _____, known to me to be the person who executed the above and foregoing instrument, and who acknowledged to me that he or she did so freely and voluntarily and for the purposes therein mentioned.

_____
Notary Public

ATTACHMENT "A"

SITE MAP

100 N. City Pkwy., Las Vegas, NV 89106
Parkway Center, LLC



ATTACHMENT "B"

Legal Description

All that certain real property situated in the County of Clark, State of Nevada, described as follows:

Being a portion of Lot Four (4) of PARKWAY CENTER (a commercial subdivision) in the City of Las Vegas, County of Clark, State of Nevada as per map recorded in Book 53, Page 61 of Plats in the Office of the County Recorder of said County, situated in the Southwest Quarter (SW ¼) of Section 27, Township 20 South, Range 61 East, M.D.M., more particularly described as follows:

COMMENCING at the Southeast Corner (SE Cor.) of said Lot Four (4), said point being on the Northerly Right-of-Way line of Grand Central Parkway, being a 100.00 foot wide public roadway as dedicated per said Book 53, Page 61 of Plats;
Thence along said line the following Two (2) courses:

North 62°04'10" West, 68.77 feet to a point of curvature;
Thence Westerly, along the arc of a curve to the left, concave Southerly, having a radius of 450.00 feet, through a central angle of 24°18'15", an arc distance of 190.90 feet to the Point of Beginning, a radial line to said point bear North 03°37'29" East; Thence continuing along said line, the following Three (3) courses: Westerly, along the arc of a curve to the left, concave Southerly, having a radius of 450.00 feet, through a central angle of 19°19'21", an arc distance of 151.76 feet;
Thence South 74°18'09" West, 187.93 feet to a pint of curvature;
Thence Northwesterly, along the arc of a curve to the right, concave Northeasterly, having a radius of 25.00 feet, through a central angle of 90°00'00", an arc distance of 39.27 feet to the Westerly line of said Lot Four (4), said point also being on the Easterly Right-of-Way line of "F" Street, being a 60.00 foot wide public roadway as dedicated per said Book 53, Page 61 of Plats;
Thence along said line the following Three (3) courses;
North 15°41'51" West, 43.23 feet to a point of curvature;
Thence Northerly, along the arc of a curve to the right, concave Easterly, having a radius of 270.00 feet, through a central angle of 14°24'02", an arc distance of 67.86 feet;
Thence North 01°17'49" West, 43.11 fee4t to the Southerly line of that certain FINAL ORDER OF CONDEMNATION recorded in Book 991103, Instrument Number 00619 of Official Records;
Thence along said line the following Two (2) courses:
North 42°32'16" East, 111.14 feet;
Thence North 74°47'09" East, 492.89 feet to a line being 254.00 feet Westerly and parallel with measured at right angles from the Easterly line of said Lot Four (4);
Thence along said parallel line South 27°55'16" West, 354.77 feet to the Point of Beginning.

Said Parcel also shown as Phase 2 on that certain Record of Survey on file in File 133 of Surveys, Page 92 in the Office of the County Recorder, Clark County, Nevada.

EXCEPTING THEREFROM that portion conveyed to the City of Las Vegas by that certain Grant Deed recorded November 6, 2003 in Book 20031106 as Document No. 02520 of Official Records.

ATTACHMENT "7"

DISCLOSURE OF PRINCIPALS – OWNER

See Attached

OTIP DISCLOSURE OF OWNERSHIP/PRINCIPALS – **REAL PROPERTY**

OTIP Contracting Entity

Name: Parkway Center LLC

Mailing Address: 100 N. City Parkway, Suite 1700, LV, NV 89106

Tenancy in Common X _____ Joint Tenancy _____

Ownership Interest

Estate in Severalty _____

Disclosure of Ownership/Principals

In the space below, the Contracting Entity must disclose all **persons/individuals** holding more than one percent ownership interest in the real property.

Full Name & Title	Business Address	Business Phone
The Molasky Family 1998 Irrev Trust Fbo Alan Molaksy	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
The Molasky Family 1998 Irrev Trust Fbo-Andrew Molasky	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
The Molasky Family 1998 Irrev Trust Fbo-Beth Molasky	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
The Molasky Family 1998 Irrev Trust Fbo-Steven Molasky	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
The Irwin A. Molasky 1995 Trust	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
The Frey Family 2000 Irrev Trust (Robert Frey, Gary Frey, and Michael Frey)	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
Berlin Road Holding LLC (Richard S. Worthington)	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
B and G Investment LLC (Bradley and Glenda Sher)	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
Development Services (Suzanne Sanders)	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155

Additional Ownership/Principals

The Contracting Entity shall continue the above list on a sheet of paper entitled "Disclosure of Principals – Continuation" until full and complete disclosure is made.

If continuation sheets are attached, please indicate the *number of sheets*: N/A

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OTIP DISCLOSURE OF OWNERSHIP/PRINCIPALS – **REAL PROPERTY**

Alternative Disclosure of Ownership/Principal

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this certificate in lieu of providing the information set forth on the previous page. A description of such disclosure documents must be included below.

Name of Attached Document: _____

Date of Attached Document: _____

Number of Pages: _____

Certification of Disclosure of Ownership/Principal - Real Property

I certify, under penalty of perjury, that all the information provided in this certificate is current, complete and accurate.

Signature: _____

Date: Parkway Center LLC

State of Nevada
County of Clark

This instrument was acknowledged before me on

JUNE 19, 2019 (date) by

RICHARD S. WORTHINGTON (name of person)

Melanie Sese

Notary Public

MELANIE SESE
Notary Public State of Nevada
No. 98-1494-1
My Appt. Exp. March 12, 2022

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OTIP DISCLOSURE OF OWNERSHIP/PRINCIPALS – **BUSINESS**

OTIP Contracting Entity Information

Name: Parkway Center LLC

Mailing Address: 100 N. City Parkway, Suite 1700, LV, NV 89106

Business Phone: 702-735-0155

Tax ID or Social Security Number: 83-0426507

Type of Business

Sole Proprietor _____ Partnership _____ Limited Liability Company X_____

Corporation _____

Disclosure of Ownership/Principals

In the space below, the Contracting Entity must disclose all **persons/individuals** holding more than one percent ownership interest in the real property.

Full Name & Title	Business Address	Business Phone
The Molasky Family 1998 Irrev Trust Fbo Alan Molaksy	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
The Molasky Family 1998 Irrev Trust Fbo-Andrew Molasky	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
The Molasky Family 1998 Irrev Trust Fbo-Steven Molasky	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
The Molasky Family 1998 Irrev Trust Fbo-Beth Molasky	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
The Irwin A. Molasky 1995 Trust	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
The Frey Family 2000 Irrev Trust (Robert Frey, Gary Frey, and Michael Frey)	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
Berlin Road Holding LLC (Richard S. Worthington)	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
B and G Investment LLC (Bradley and Glenda Sher)	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
Development Services (Suzanne Sanders)	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155

Additional Ownership/Principals

The Contracting Entity shall continue the above list on a sheet of paper entitled "Disclosure of Principals – Continuation" until full and complete disclosure is made.

If continuation sheets are attached, please indicate the *number of sheets*: N/A

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OTIP DISCLOSURE OF OWNERSHIP/PRINCIPALS – **BUSINESS**

Alternative Disclosure of Ownership/Principal

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this certificate in lieu of providing the information set forth on the previous page. A description of such disclosure documents must be included below.

Name of Attached Document: _____

Date of Attached Document: _____

Number of Pages: _____

Certification of Disclosure of Ownership/Principal - Business

I certify, under penalty of perjury, that all the information provided in this certificate is current, complete and accurate.

Signature: _____

Date: Parkway Center LLC

State of Nevada
County of Clark

This instrument was acknowledged before me on

June 19, 2019 (date) by

Richard S. Worthington (name of person)

Melanie Sese

Notary Public

MELANIE SESE
Notary Public State of Nevada
No. 98-1494-1
My Appt. Exp. March 12, 2022

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ATTACHMENT "8"

Employment Plan

See Attached

OTIP PARTICIPANT **AFFIDAVIT & EMPLOYMENT PLAN**

STATE OF NEVADA }
} ss:
COUNTY OF CLARK }

I, Richard S. Worhtington, being first duly sworn, depose and state under penalty of perjury as follows:

1. I am a corporate officer, managing member, or sole proprietor of the Parkway Center LLC, a company duly organized in the State of Nevada as a Limited Liability Company, (Corporation/LLC/Sole Proprietorship). The Participant is seeking the assistance of the city of Las Vegas Redevelopment Agency ("Agency") for making improvements to the property at 100 N. City Parkway, ste 1750 ("Site"), as more particularly described by the OTIP agreement ("Agreement") being contemplated by the city of Las Vegas Redevelopment Agency.
2. I hereby warrant that I either own the property, or have a leasehold interest in the site for a minimum of five years subsequent to the effective date of this agreement.

   Assistance from the Agency will allow me to make improvements to the property which I could not otherwise do. This will result in substantial benefit to the Redevelopment Plan Area and the neighborhood adjacent to the property because of one or more of the following reasons (check one or more):

   a. Encourage the creation of new business or other appropriate development; ☑
   b. Create jobs or other business opportunities for nearby residents; ☑
   c. Increase local revenues from desirable sources; ☑
   d. Increase levels of human activity in the redevelopment area or the immediate neighborhood in which the redevelopment area is located; ☑
   e. Possess attributes that are unique, either as to type of use or level of quality and design; ☐
   f. Require for their construction, installation or operation the use of qualified and trained labor; ☑ and
   g. Demonstrate greater social or financial benefits to the community than would a similar set of buildings, facilities, structures or other improvements not paid for by the agency. ☑
3. No other reasonable means of financing those buildings, facilities, structures or other improvements are available, because of one or more of the following reason(s) as checked by the Participant:

   a. An inducement for new businesses to locate, or existing businesses to remain within, the redevelopment area in which the business would ordinarily choose to locate outside the redevelopment area if the grant were not provided. Evidenced by a "but for" letter or statement from the business owner; ☑ or
   b. There is a public objective and/or requirement that is more stringent and/or costly to undertake than a business would ordinarily embark upon. Evidenced by state or city ordinance; ☐ or
   c. There has been a lack of rehabilitation in the area and it is deemed unreasonable for the business to invest in improving the area unless the grant is provided. Evidenced by photographs of the immediate surrounding area displaying the slum and blight; ☐ or

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OTIP PARTICIPANT **AFFIDAVIT & EMPLOYMENT PLAN**

Participant agrees to submit to the Agency its documentation which evidences that no reasonable means of financing are available to the Participant.

4. Participant hereby warrants the following:
   a. The property on which the project is situated is free of all Mechanic's Liens at the time of application. BSW (initial)
   b. The applicant has no current bankruptcy proceedings, or past bankruptcy proceedings, whether corporate or personal, within the past five years. BSW (initial)
   c. The applicant has no past-due federal, state, county or city of Las Vegas tax bills at the time of application. BSW (initial)
   d. The applicant has no past-due bills or debts payable to the city of Las Vegas or the Redevelopment Agency. BSW (initial)
5. Applicant will comply with "Developer/Contractor Award Phase") and "Construction Phase" of the city of Las Vegas Redevelopment Agency Employment Plan Policy, revised June 18, 2014
6. If the value of the incentive received by the applicant from the Redevelopment Agency exceeds $100,000 per NRS 279.500(c) the project will be registered with the State of Nevada Office of the Labor Commissioner as a Public Works project, http://labor.nv.gov/PrevailingWage/2016-2017_Prevailing_Wages/ and the applicant will be required to pay Prevailing Wage to all construction workers and submit certified payroll records to both the Redevelopment Agency and the Commissioner on a biweekly basis.

DATED this 19TH day of June, 2019.

Authorized Signature: BSW

SIGNED AND SWORN TO before me

this 19TH day of JUNE, 2019, by RICHARD S. WORTHINGTON

NOTARY PUBLIC Melanie Sese
My Commission Expires: MARCH 12, 2022

MELANIE SESE
Notary Public State of Nevada
No. 98-1494-1
My Appt. Exp. March 12, 2022

Public Purpose/Impact Analysis Report
NRS 279.486

City Council/Redevelopment Agency Meeting
July 17, 2019

Title of Project: Office Tenant Incentive Program

Sponsor/Developer: Parkway Center, LLC

Address of Project: 100 N. City Parkway, Suite 1750

Per NRS 279.486 2(a) attach a copy of any contract, memorandum of understanding or other agreement between the agency or the legislative body and any other person relating to the redevelopment project to this report.

Please refer to RDA Resolution as Exhibit A for copy of agreement: CITY OF LAS VEGAS - OFFICE TENANT INCENTIVE PROGRAM

Per NRS 279.486 2(b) (1) (I) List the costs of the redevelopment project, including, without limitation, the costs of acquiring any real property, clearance costs, relocation costs, the costs of any improvements which will be paid by the Redevelopment Agency and the amount of the anticipated interest on any bonds issued or sold to finance the project.

N/A

Per NRS 279.486 2(b) (1) (II) What is the estimated current value of the real property interest to be conveyed or leased, determined at its highest and best use permitted under the redevelopment plan?

N/A

Per NRS 279.486 2(b) (1) (III) what is the estimated value of the real property interest to be conveyed or leased, determined at the use and with the conditions, covenants and restrictions, and development costs required by the sale or lease, and the current purchase price or present value of the lease payments which the lessee is required to make during the term of the lease? If the sale price or present value of the total rental amount to be paid to the agency or legislative body is less than the fair market value of the real property interest to be conveyed or leased, determined at the highest and best use permitted under the redevelopment plan, the agency shall provide an explanation of the reason for the difference.

N/A

and Eliminate Blight:

The work that will be needed for this 20,713 square foot office space will require demolition work to combine two separate offices into one new large office space with new HVAC, plumbing, electrical, partitions and lighting. New flooring and will also be added to complement the interior's new open-office concept accommodate 103 full time employees.

What is the amount of Private Investment and who is providing it?

Approximately $928,048 – Parkway Center, LLC - Owner equity.

What is the amount of Public Investment and who is providing it?

Not to Exceed $50,000 by the City of Las Vegas Redevelopment Agency

How many Direct Jobs will be Created? 103 Full-Time Equivalents

How many Indirect Jobs will be Created? 65 Indirect and Induced jobs (construction)

How many Direct Jobs will be Retained? N/A

Quantitative Economic Benefits:

$928,048 of labor and material will be expended in the Redevelopment Area during renovations.

Total Direct Economic Impact:

$928,048 in interior renovations, $7,181,000 in direct payroll annually from new tenant.

Total Indirect Economic Impact:

65 construction jobs

Economic Impact Study Performed:	Yes ☐	No ☒
Return on Investment Analysis Performed:	Yes ☐	No ☒

Exhibit A

RESOLUTION NO. _____

RESOLUTION FINDING THE PROJECT PROPOSED BY THE OFFICE TENANT INCENTIVE PROGRAM AGREEMENT ("OTIP") BETWEEN THE CITY OF LAS VEGAS REDEVELOPMENT AGENCY AND Parkway Center, LLC (AS OWNER) TO BE IN COMPLIANCE WITH AND IN FURTHERANCE OF THE GOALS AND OBJECTIVES OF THE REDEVELOPMENT PLAN AND AUTHORIZING THE EXECUTION OF THE OTIP BY THE AGENCY

WHEREAS, the City of Las Vegas Redevelopment Agency (the "Agency") adopted on March 5, 1986, that plan of redevelopment entitled, to-wit: the Redevelopment Plan for the Downtown Las Vegas Redevelopment Area pursuant to Ordinance 3218, which Redevelopment Plan has been subsequently amended on February 3, 1988, by Ordinance 3339; April 11, 1992, by Ordinance 3637, on November 4, 1996, by Ordinance 4036, on December 17, 2003, by Ordinance 5652 and on May 17, 2006, by Ordinance 5830, and on December 16, 2015, by Ordinance 6448 (the "Redevelopment Plan"); and

WHEREAS, the Redevelopment Plan identifies and designates an area within the corporate boundaries of the City of Las Vegas (the "Redevelopment Area") as in need of redevelopment in order to eliminate the environmental deficiencies and blight existing therein; and

WHEREAS, the Agency approved on July 17, 2019 the form for the Office Tenant Incentive Program Agreement, the OTIP Participation Affidavit and Employment Plan , and the OTIP Manual, in order to provide funding to owners of commercial properties located within the Redevelopment Area for the purpose of making improvements to the interior tenant space of such commercial properties; and

WHEREAS, 100 North City Parkway, Suite 1750 (the "OWNER") is the owner of real property and improvements located at 100 North City Parkway, Suite 1750, and which parcel is commonly known as APN 139-27-410-021 (the "Site"); and

WHEREAS, Parkway Center, LLC (the "OTIP PARTICIPANT") is the owner of the real property located at 100 North City Parkway, Suite 1750 and is undertaking certain exterior improvements to the property in accordance with the OTIP ; and

WHEREAS, the Agency has considered the findings that no other reasonable means of financing the building, facilities or structures or other improvements on the Site are available; and

WHEREAS, the Governing Body of the Agency has determined that the OTIP Agreement (the "Agreement" and attached hereto as Exhibit A), which provides for the contribution of funds to Participant for making physical, interior improvements to the building on the Site, all as more fully set forth in the Agreement, is in compliance with and in furtherance of the goals and objectives of the Redevelopment Plan; and

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Governing Board of the Agency that the Agreement is hereby approved and determined to be in compliance with and in furtherance of the goals and objectives of NRS 279 and the Redevelopment Plan, and the Chairperson of the Governing Board of the Agency is hereby authorized and directed to execute the Agreement for and on behalf of the Agency, and to execute any and all additional documents (including any Attachments to the Agreement) and to perform any additional acts necessary to carry out the intent and purpose of the Agreement.

THE FOREGOING RESOLUTION and OTIP AGREEMENT was passed, adopted and approved this ____ day of _____, 2019.

CITY OF LAS VEGAS
REDEVELOPMENT AGENCY

By: _____
CAROLYN G. GOODMAN, Chair

ATTEST:

_____
SECRETARY

APPROVED AS TO FORM:

_____
Date

Exhibit A

CITY OF LAS VEGAS REDEVELOPMENT AGENCY
OFFICE TENANT INCENTIVE AGREEMENT

(Owner)

THIS OFFICE TENANT INCENTIVE AGREEMENT (the "Agreement") is entered into this _____ day of _____, 2019, by and between the CITY OF LAS VEGAS REDEVELOPMENT AGENCY, a public body organized and existing under the community development laws of the State of Nevada (hereinafter referred to as the "Agency") and Parkway Center, LLC, a Nevada limited liability company (hereinafter referred to as the "Owner").

Recitals

WHEREAS, the Agency administers funds of the Agency for the purposes of assisting business owners and landlords to attract or maintain businesses in the Agency redevelopment area and to support investment into existing commercial structures in the Agency redevelopment area and to attract to or maintain jobs in such redevelopment area; and

WHEREAS, in furtherance of the Redevelopment Plan (the "Redevelopment Plan") for the City of Las Vegas Redevelopment Area 1 and 2 (the "Redevelopment Area"), the Agency approved an Office Tenant Incentive Program (the "OTIP") for the purpose of assisting business owners and landlords with office facility upgrades to make them more competitive and create quality jobs and capital investment in the redevelopment areas; and

WHEREAS, Owner has agreed in the lease of the Tenant Space (defined below) to construct the Tenant Improvements (defined below); and

WHEREAS, the Agency shall reimburse the Owner for any Pre-approved Qualified Interior Tenant Improvements ("Tenant Improvements"), which the Agency has determined are significant in character, up to a maximum of Fifty Thousand Dollars and 00/100 ($50,000.00) (the "Agency Funds"), which is equal to no more than ten percent (10%) of the cost of the Tenant Improvements in order to ensure a high leveraging of public resources; and

WHEREAS, the Owner desires to participate in the OTIP pursuant to the terms and provisions of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the Agency and Owner do hereby agree as follows:

SECTION 1: SCOPE OF AGREEMENT. The purpose of this Agreement is to effectuate the Redevelopment Plan by contributing funds for Tenant Improvements to that certain office space described in Attachment "1", attached and incorporated herein by reference ("Tenant Space"). Implementation of this Agreement will further the goals and objectives of the Redevelopment Plan. This Agreement is subject to the provisions of the Redevelopment Plan which the City Council of the City of Las Vegas adopted on March 5, 1986, by Ordinance No. 3218, as amended. Said Redevelopment Plan, as it now exists and as it may be subsequently amended, is incorporated herein by reference and made a part hereof as though fully set forth herein.

SECTION 2: PARTIES TO THE AGREEMENT. Agency is a public body, corporate and politic, exercising governmental functions and powers, and organized and existing under the Community Redevelopment Law of the State of Nevada (NRS 279.382, et seq.). The principal office of the Agency is located at 495 S. Main Street, Las Vegas, Nevada, 89101. "Agency", as used in this Agreement, includes the City of Las Vegas Redevelopment Agency and any assignee of or successor to its rights, powers and responsibilities.

The Owner hereby warrants that it is the owner of the building where the Tenant Space is located as of the Effective Date of this Agreement (as defined hereinafter). Such ownership is demonstrated by Attachment "2", "Proof of Ownership", which is attached hereto and is incorporated herein by reference.

Landlord hereby warrants that Tenant is the tenant of the Tenant Space under a lease for a fixed term of no less than five (5) years as evidenced by Attachment "3" "Proof of Leasehold Interest" attached hereto and hereby made a part of this Agreement. Owner hereby warrants that (i) the lease of Tenant Space obligates Owner to construct the Tenant improvements for the benefit of Tenant and (iii) Attachment 3 is a true and correct description of the lease for the Tenant Space.

SECTION 3: IMPROVEMENTS TO THE TENANT SPACE AND PROJECT BUDGET. Owner shall complete the Tenant Improvements according to the Scope of Work and Tentative Schedule of Tenant Improvements, which is attached hereto as Attachment " 4 " and by this reference is made a part hereof. The Scope of Work and Tentative Schedule of Tenant Improvements shall provide a line item budget, acceptable to the Agency, for all work to be performed. Within thirty (30) days of execution of this Agreement by the Agency, Owner agrees to commence, or cause the commencement of the Tenant Improvements, pursuant to the plans and other documents submitted by Owner and approved by Agency in accordance with the OTIP Guidelines. The Tenant Improvements shall be completed within one hundred eighty (180) days of commencement of work. Additional time may be given for completion of the Tenant Improvements upon approval of the Agency, which approval shall be at the sole and absolute discretion of Agency. The Tenant Improvements also shall be referred to as the "Project" hereinafter. The Agency during construction of the Tenant Improvements shall maintain a right of access to the Tenant Space in order to determine the status of the construction of the Tenant Improvements and compliance with this Agreement, provided that the Agency gives the Owner a minimum of twenty-four (24) hours written, advance notice prior to entering the office building. Owner and Tenant acknowledge and agree that Agency has agreed to enter into this Agreement in reliance upon Owner's strict agreement to commence and complete the Tenant Improvements by the required dates and any failure of Owner to commence and complete the Tenant Improvements by the required dates will be a material default of Owner under this Agreement giving Agency the right to immediately terminate this Agreement.

Owner hereby acknowledge and agree that (i) Agency is not involved in any way with the design and construction of the Tenant Improvements, (ii) Agency does not warrant in any manner the suitability or construction of the Tenant Improvements, (ii) except for the payment of the Agency Funds pursuant to the terms of this Agreement, Agency is not in any way or manner obligated or liable for the payment of the cost of the Tenant Improvements, (iii) Owner hereby release and waive any and all claims and causes of action against Agency in any way related to the design, construction and payment for the Tenant Improvements except for the payment of the Agency Funds pursuant to the terms of this Agreement and (iv) Owner hereby agree to indemnify and hold harmless Agency from any from and against any and all liens, demands, liabilities, causes of action, judgments, costs, claims, damages, suits, losses and expenses, or any combination thereof, including attorneys' fees, of any nature, kind or description, relating in any way to the Tenant Improvements.

SECTION 4: CONTRACTOR SELECTION REQUIREMENTS. If the Project exceeds $10,000, then the Owner in compliance with NRS 279.498 must obtain three (3) or more competitive bids from properly licensed contractors. If Owner is unable to obtain three (3) or more competitive bids, Owner shall provide the Agency, upon request, with documentation detailing when and which licensed contractor(s) were contacted.

SECTION 5: DISBURSEMENT OF AGENCY FUNDS. Disbursement of the Agency Funds shall be made to as directed in writing by Owner upon completion of all of the following conditions for the benefit of Agency:

1. A certificate of occupancy has been issued permitting occupancy of the Tenant Space by Tenant and indicating that the Tenant Improvements are in compliance with the Scope of Work set forth in Attachment "4".
2. A Certificate of Completion of Construction, in the form of Attachment "6", has been issued and recorded on the building parcel.
3. Owner has executed and provided to Agency the certification in the form of Attachment "5" attached hereto and by this reference made a part hereof stating, among other matters, that Tenant has

taken occupancy of the Tenant Space, Tenant has no less than 20 full time employees working in the Tenant Space and that the lease for the Tenant Space is in full force and effect with no default by Owner or Tenant thereunder.

Upon receipt of the above, Agency shall disburse the Agency Funds within thirty (30) days to Owner.

SECTION 6: COMPLIANCE WITH APPLICABLE LAWS, RULES AND/OR REGULATIONS. Owner must comply with all development standards applicable to the Scope of Work, including but not limited to, the Zoning Code of the City of Las Vegas, the Building Code of the City of Las Vegas, and the Fire Code of the City of Las Vegas and all other applicable laws, rules and/or regulations.

SECTION 7: RESERVED

SECTION 8: UNRELATED IMPROVEMENTS. Nothing herein is intended to limit, restrict or prohibit the Owner and/or Tenant from undertaking any other work in or about the subject premises which is unrelated to OTIP provided for in this Agreement.

SECTION 9: COMPLIANCE WITH THE REDEVELOPMENT PLAN AND EMPLOYMENT PLAN. The Agency finds that the Project as contemplated by this Agreement complies with the OTIP Guidelines and therefore would be deemed a substantial benefit to the Redevelopment Area. The Agency finds that the Project, upon completion, would achieve one or more of the following:

1. Encourage new commercial development;
2. Create or retain jobs for nearby residents;
3. Increase local revenues from private revenue sources;
4. Increase levels of human activity in the Redevelopment Area;
5. Possess attributes that are unique, either as to type of use or level of quality and design;
6. Require for their construction, installation or operation the use of qualified and trained labor; or
7. Demonstrate greater social or financial benefits to the community that would a similar set of buildings, facilities, structures or other improvements not paid for by the Agency.

The Agency has also considered the opinions of persons who reside in the Redevelopment Area or the immediate vicinity of the Redevelopment Area. In addition, the Agency has compared the level of spending proposed by the Agency and the projections of future revenue made on the buildings, facilities, structures or other improvements.

Owner has declared that no other reasonable means of financing are available to undertake the Tenant Improvements because the return on investment is not reasonable and the improvements are being financed through cash on hand and/or debt financing through a private lender. Furthermore Owner would not undertake the Tenant Improvements contemplated in the Agreement through resources reasonably available to Owner pursuant to the Participant Affidavit and Employment Plan, attached hereto as Attachment " 8 " and by this reference made a part hereof.

Owner has also declared and provided the Agency with an Employment Plan, which is attached hereto as Attachment "8 " and by this reference is made a part hereof. Owner, for Owner and its successors and assigns, represent that in the construction of Tenant Improvements, Owner shall not discriminate against any employee or applicant for employment because of race, color, creed, religion, sex, marital status, ancestry or national origin.

SECTION 10: CONFLICTS OF INTEREST AND DISCLOSURE REQUIREMENTS. No member, official or employee of the Agency shall have any personal interest, direct or indirect, in this Agreement, nor shall any such member, official or employee participate in any decision relating to this Agreement which affects his personal interests or the interests of any corporation, partnership or association in which he is directly or indirectly interested. Owner warrants to Agency that it not paid or given, and will not pay or give, any third party any money or other consideration for obtaining this Agreement. No member, official or employee of the Agency shall be personally liable to the Owner in the event of any default or breach by the Agency or for any amount which may become due to the Owner or on any obligations under the terms of this Agreement. Pursuant to Resolution RA-4-

99 adopted by the governing board of the Agency effective October 1, 1999, Owner warrant that they have disclosed, on the Disclosure of Principals form attached hereto as Attachment "7-A" and incorporated herein by reference, all persons and entities holding more than 1% (one percent) interest in Owner or any principal member of Owner. Until such time as the Agency Funds are disbursed, Owner shall notify Agency in writing of any material change in the above disclosure within fifteen (15) days of any such change.

SECTION 11: DEFAULTS AND REMEDIES. Failure or delay by either party to perform any term or provision of this Agreement constitutes a default under this Agreement ("Event of Default"). In connection with any default of Owner or Agency under this Agreement, the non-defaulting party shall have the right to terminate immediately this Agreement upon written notice to the defaulting party without any cure right for the benefit of the defaulting party. In addition to any other rights or remedies, either party may institute legal action to cure, correct or remedy any default, to recover damages for any default or to obtain any other remedy consistent with the purpose of this Agreement. Such legal actions must be instituted in the District Court, County of Clark State of Nevada, in any other appropriate court in that county, or in the Federal District Court in the appropriate district of Nevada. The non-defaulting party may also, at its option, cure the breach and sue in any court of proper jurisdiction to collect the reasonable costs incurred by virtue of curing or correcting the defaulting party's breach. Further, the non-defaulting party may file legal action to require the defaulting party to specifically perform the terms and conditions of this Agreement. Upon occurrence of an Event of Default by either the Owner or the Agency during the existence of this Agreement, the non-defaulting party, at its option, may institute an action for specific performance of the terms and obligations (including the payment of any monetary obligation) of this Agreement. During the existence of this Agreement and upon the occurrence of an Owner Event of Default, the Agency shall have the right to terminate, and this Agreement shall so terminate, the date that the written notice of termination is received by the Owner or such other date as may be specified in the written notice. In the event of termination of this Agreement by the Agency, then any obligation of Agency to disburse the Agency Funds shall terminate and be null and void and (ii) Owner agrees to return any and all Agency Funds heretofore paid shall be returned to Agency pursuant to the provisions of this Agreement within ten (10) calendar days after the termination date. Failure to return any and all Agency Funds paid to the Owner shall entitle the Agency to sue the Owner for specific performance as provided in this Section and to pursue the Agency's remedies, legal and equitable, for such damages as permitted by law.

SECTION 12: SUBSEQUENT AGENCY APPROVALS. Any approvals of the Agency required and permitted by the terms of this Agreement may be given by the Executive Director of the Agency or such other person that the Agency designates in writing.

SECTION 13: TERM. Unless sooner terminated pursuant to the terms of this Agreement, the term of this Agreement shall expire at the earlier of (i) disbursement of the Agency Funds by Agency and (ii) 180 days after the Effective Date.

SECTION 14: SEVERABILITY. Whenever possible, each provision of this Agreement shall be interpreted in such a manner as to be valid under applicable law, but if any provision shall be invalidated, it shall be deemed to be severed from this Agreement and the remaining provisions shall remain in full force and effect.

SECTION 15: GOVERNING LAW. The interpretation and enforcement of this Agreement shall be governed in all respects by the laws of the State of Nevada.

SECTION 16: NOTICES. Notices shall be in writing and shall be given by personal delivery, by deposit in the United States mail, certified mail, return receipt requested, postage prepaid, or by express delivery service, freight prepaid, in each case by delivery to the Owner and the Agency at the addresses set forth in this Agreement or at such other address as a party may designate in writing. The date notice given shall be the date on which the notice is delivered, if notice is given by personal deliver, or five (5) calendar days after the date of deposit in the mail or with an express delivery service, if the notice is sent through the United States mail.

If to the Agency: City of Las Vegas Redevelopment Agency
495 S. Main Street, 6th Floor

Las Vegas, NV 89101

If to the Owner: Parkway Center, LLC
Attn: Richard Worthington
100 North City Parkway, Ste 1700
Las Vegas, NV 89106

SECTION 17: CAPTIONS. The captions contained in this Agreement are for the convenience of the parties and shall not be construed so as to alter the meaning of the provisions of the Agreement.

SECTION 18: ENTIRE AGREEMENT, WAIVERS AND AMENDMENTS. THIRD PARTY RIGHTS. This Agreement is executed in three duplicate originals, each of which is deemed to be an original. This includes Attachment "1" through Attachment "8" inclusive, attached hereto and incorporated herein by reference, all of which constitute the entire understanding and agreement of the parties. This Agreement integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreements between the parties with respect to all or any part of the subject matter hereof. All waivers of the provisions of this Agreement must be in writing and signed by the appropriate authorities of Agency and Owner and no waiver of one provision shall be construed as a waiver of that provision in the future or as a waiver of any other provision. All amendments hereto must be in writing and signed by the appropriate authorities of Agency, and Owner. Nothing in this Agreement shall confer upon any other third party of any type or sort other than the Owner and Agency any rights or remedies under or by reason of this Agreement

SECTION 19: COUNTERPARTS; ELECTRONIC DELIVERY. This Agreement may be executed in counterparts, all such counterparts will constitute the same contract and the signature of any party to any counterpart will be deemed a signature to, and may be appended to, any other counterpart. Executed copies hereof may be delivered by facsimile or e-mail and upon receipt will be deemed originals and binding upon the parties hereto, regardless of whether originals are delivered thereafter.

SECTION 20: TIME FOR AGENCY TO ACCEPT AGREEMENT. This Agreement has been approved on _____, 201 by the City of Las Vegas Redevelopment Agency. The effective date of this Agreement shall be the date when this Agreement has been signed by the Agency ("Effective Date").

EXECUTION BLOCKS ON NEXT PAGE

Date of Agency Approval:

_____, 2019

CITY OF LAS VEGAS REDEVELOPMENT AGENCY

By: _____
CAROLYN G. GOODMAN, CHAIR
"Agency

ATTEST:

_____
LUANN D. HOLMES, MMC
Secretary

Parkway Center, LLC

By: _____
Richard Worthington, President
"Owner"

APPROVED AS TO FORM:

_____
Counsel to the Agency Date

LIST OF ATTACHMENTS

ATTACHMENT “1 “	DESCRIPTION OF TENANT SPACE
ATTACHMENT “2”	PROOF OF OWNERSHIP
ATTACHMENT “3”	PROOF OF LEASEHOLD INTEREST
ATTACHMENT “4 “	SCOPE OF WORK AND TENTATIVE SCHEDULE OF IMPROVEMENTS
ATTACHMENT “5“	CERTIFICATION LETTER
ATTACHMENT “6”	CERTIFICATE OF COMPLETION OF CONSTRUCTION
ATTACHMENT “7“	DISCLOSURE OF PRINCIPALS – PROPERTY OWNER
ATTACHMENT “8 “	PARTICIPANT AFFIDAVIT & EMPLOYMENT PLAN

ATTACHMENT 1

DESCRIPTION OF TENANT SPACE

The landlord is taking one empty vacant office space along with half of an existing (operational & leased) space and combining them into one office to accommodate a tenant with over 103 employee head count. The reconfiguring of the two offices will include demolition of some the existing improvements to make way for a brand new tenant improvements for a larger office space.

ATTACHMENT 2

Proof of Ownership

See Attached

20060131-0003046

Fee: $21.00 RPTT: $5.10
N/C Fee: $25.00

01/31/2006 12:54:13
T20060018955
Requestor:
LAWYERS TITLE OF NEVADA

Frances Deane KGP
Clark County Recorder Pgs: 9

Assessor's Parcel No 139-27-410-008
N2107531 JG

WHEN RECORDED, RETURN TO,
AND MAIL TAX STATEMENTS TO:

Parkway Center LLC
3111 South Maryland Parkway
Las Vegas, Nevada 89109

GRANT DEED

For valuable consideration, the receipt of which is hereby acknowledged,

CITY PARKWAY IV-A, INC., a Nevada not-for-profit corporation (herein called "Grantor"), acting to carry out the Redevelopment Plan (herein called "Redevelopment Plan") for the Downtown Las Vegas Redevelopment Area, under the Community Redevelopment Law of the State of Nevada, hereby grants, bargains, sells and conveys to PARKWAY CENTER LLC, a Nevada limited liability company (herein called "Grantee") whose address is 3111 South Maryland Parkway, Las Vegas, Nevada 89109, the real property (the "Property") legally described in the document attached hereto, labeled Exhibit A, and incorporated herein by this reference.

1. The Property is conveyed subject to the Disposition and Development Agreement dated January 22, 2003 and subject and pursuant to an Option to Acquire and Development Agreement (the "OADA") entered into by and between the Grantor and the Grantee and dated November 21, 2003. The Property is also conveyed subject to those easements of record and other title exceptions listed on Exhibit B, attached hereto and incorporated herein by this reference.

2. The property shall be used for the sole purpose of constructing a Class A office building of no less than 200,000 square feet and any related improvements and appurtenances related thereto, including, without limitation, surface parking and structured parking improvements containing no less than 1,250 parking spaces.

3. Grantor hereby gives notice that portions of the Property are currently affected by contamination of the soil and groundwater. Therefore, Grantee (and its successors in title to the Property) should contact the State of Nevada Division of Environmental Protection (or its successor agency with jurisdiction to require clean up, correction, or other remediation of soil or groundwater contamination) prior to commencement of any building, construction or excavation activities on the Property in order to obtain information on past remediation or any necessary approvals for protective measures to be taken in conducting any such activities.

4. Condition of Property. Grantee and its representatives have been afforded the opportunity to make such inspections of the Property and matters related thereto as

Grantee and its representatives desired, including, without limitation, governmental laws and regulations to which the Property is subject, and Grantee accepts the Property upon the basis of its review and determination of the applicability and effect of such laws and regulations. Grantee acknowledges and agrees that the Property is sold and conveyed to and accepted by Grantee in an "as-is" condition with all faults, except as otherwise provided below. Grantor makes no representations or warranties of any kind whatsoever, either express or implied, with respect to the Property. In particular, but without limitation, Grantor makes no represenations or warranties with respect to the use, condition, title, occupation or management of the Property, compliance with applicable statutes, laws, codes, ordinances, regulations or requirements relating to leasing, zoning, subdivision, planing, building, fire, safety, health or environmental matters, compliance with covenants, conditions and restrictions (whether or not of record), other local, municipal, regional, state or federal requirements, or other statutes, laws, codes, ordinances, regulations or requirements. Grantee acknowledges that it has accepted this deed on the basis of Grantee's own investigation of the physical and environmental conditions of the Property, including the subsurface conditions, and Grantee assumes the risk that adverse physical and environmental conditions may not have been revealed by its investigation.

5. Grantee, for itself, its successors and assigns, and for each and every subsequent owner or tenant of any portion of the Property (collectively, the "Releasing Parties"), hereby waives, releases, remises, acquits and forever discharges Grantor, its affiliates, their employees, agents, officers, successors and assigns, of and from any and all claims, suits, actions, causes of action, demands, rights, damages, costs, expenses, penalties, fines or compensation whatsoever, direct or indirect, which Grantee or any other Releasing Party now has or which Grantee or any other Releasing Party may have in the future on account of or in any way arising out of or in connection with any contamination or environmental condition of the Property, or any other physical or environmental condition of the Property, or the violation of any federal, state of local law, ordinance, rule or regulation, including, without limitation, the Toxic Substances Control Act, the Comprehensive Environmental Response, Compensation and Liability Act, and the Resource Conservation and Recovery Act, arising out of or in connection with any physical or environmental condition of the Property.

6. Subject to the provisions of paragraph 7 below, the covenants contained in this Grant Deed shall be binding for the benefit of the Grantor, its successors and assigns and the City of Las Vegas. Such covenants shall bind each and every owner of the Property as covenants running with the land. The Grantor and such aforementioned parties, in the event of any breach of any such covenants, shall have the right to exercise all of the rights and remedies and to maintain any actions at law or suits in equity or other proper proceedings to enforce the curing of such breach. The covenants contained in this Grant Deed shall be for the benefit of and shall be enforceable only by the Grantor, its successors and such aforementioned parties. Grantee further agrees to be bound by the provisions of paragraphs (a) through (e) except for paragraph (d)(ii)(D) of that certain Grant, Bargain and Sale Deed recorded in the Clark County Reorder of Deeds on June

14, 2001 as instrument number 00136 in book 200110614 whereby the Union Pacific Railroad Company conveyed the Property to Grantor.

7. The OADA provides, among other things, that Grantee's failure to perform thereunder may result in Grantor's exercising Grantor's rights to repurchase, re-enter and repossess as set forth in the OADA, provided, however, that in connection with Grantor's exercise of such Grantor rights, Grantor shall repay in full any mortgage, deed of trust or other security instrument permitted by the OADA. The provisions in this paragraph 7 (and the referred to rights of Grantor in the OADA) shall remain in effect until the earlier of (a) construction of the improvements are completed pursuant to Section 6 of the OADA, or (b) a foreclosure (or deed-in-lieu thereof) under any mortgage, deed of trust or other security instrument permitted by the OADA.

8. In the event of any express conflict between this Grant Deed and the OADA, the provisions of this Grant Deed shall control.

IN WITNESS WHEREOF, the Grantor and Grantee have caused this instrument to be executed on their behalf by their respective officers thereunto duly authorized this 30 day of January, 2006.

CITY PARKWAY IV-A, a Nevada corporation

By: Douglas Selby
PRESIDENT, Douglas A Selby
"GRANTOR"

APPROVED:
Michael C. Niarchos, Esq.
Counsel for Grantor

The provisions of this Grant Deed are hereby approved and accepted.

1-30- 2006

PARKWAY CENTER, LLC,
a Nevada limited liability company

By: Irwin A. Molasky
Title: MG. Member
"GRANTEE"

ASSESSOR'S COPY

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

On this 30th day of January, 2006, Douglas A. Selby before me personally appeared and executed the foregoing Grant Deed on behalf of City Parkway V, Inc.

Notary Public-State of Nevada
COUNTY OF CLARK
CECELI C. GREEN
My Appointment Expires
March 7, 2008
No. 96-1693-1

Cecili C. Green
NOTARY PUBLIC
My commission expires: 3-7-08

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

On this 30th day of January, 2006, Irwin A. Molasky before me personally appeared and executed the foregoing Deed on behalf of Parkway Center, LLC.

Linda Creger
NOTARY PUBLIC
My commission expires: 3-8-08

LINDA CREGER
Notary Public State of Nevada
No. 04-87684-1
My appt. exp. March 8, 2008

ASSESSOR'S COPY

EXHIBIT A – legal description

All that certain real property situated in the County of Clark, State of Nevada, described as follows:

Being a portion of Lot Four (4) of PARKWAY CENTER (a commercial subdivision) in the City of Las Vegas, County of Clark, State of Nevada as per map recorded in Book 53, Page 61 of Plats in the Office of the County Recorder of said County, situated in the Southwest Quarter (SW ¼) of Section 27, Township 20 South, Range 61 East, M.D.M., more particularly described as follows:

COMMENCING at the Southeast Corner (SE Cor.) of said Lot Four (4), said point being on the Northerly Right-of-Way line of Grand Central Parkway, being a 100.00 foot wide public roadway as dedicated per said Book 53, Page 61 of Plats;
Thence along said line the following Two (2) courses:

North 62°04'10" West, 68.77 feet to a point of curvature;
Thence Westerly, along the arc of a curve to the left, concave Southerly, having a radius of 450.00 feet, through a central angle of 24°18'15", an arc distance of 190.90 feet to the Point of Beginning, a radial line to said point bears North 03°37'29" East;
Thence continuing along said line, the following Three (3) courses: Westerly, along the arc of a curve to the left, concave Southerly, having a radius of 450.00 feet, through a central angle of 19°19'21", an arc distance of 151.76 feet;
Thence South 74°18'09" West, 187.93 feet to a pint of curvature;
Thence Northwesterly, along the arc of a curve to the right, concave Northeasterly, having a radius of 25.00 feet, through a central angle of 90°00'00", an arc distance of 39.27 feet to the Westerly line of said Lot Four (4), said point also being on the Easterly Right-of-Way line of "F" Street, being a 60.00 foot wide public roadway as dedicated per said Book 53, Page 61 of Plats;
Thence along said line the following Three (3) courses:
North 15°41'51" West, 43.23 feet to a point of curvature;
Thence Northerly, along the arc of a curve to the right, concave Easterly, having a radius of 270.00 feet, through a central angle of 14°24'02", an arc distance of 67.86 feet;
Thence North 01°17'49" West, 43.11 feet to the Southerly line of that certain FINAL ORDER OF CONDEMNATION recorded in Book 991103, Instrument Number 00619 of Official Records;
Thence along said line the following Two (2) courses:
North 42°32'16" East, 111.14 feet;
Thence North 74°47'09" East, 492.89 feet to a line being 254.00 feet Westerly and parallel with measured at right angles from the Easterly line of said Lot Four (4);
Thence along said parallel line South 27°55'16" West, 354.77 feet to the Point of Beginning.

Said Parcel also shown as Phase 2 on that certain Record of Survey on file in File 133 of Surveys, Page 92 in the Office of the County Recorder, Clark County, Nevada.

EXCEPTING THEREFROM that portion conveyed to the City of Las Vegas by that certain Grant Deed recorded November 6, 2003 in Book 20031106 as Document No. 02520 of Official Records.

legal rev. (010698)

EXHIBIT B

SCHEDULE OF TITLE EXCEPTIONS

PERMITTED EXCEPTIONS

1. Taxes for the fiscal year 2005-2006 are Exempt.
   Assessor's Parcel Number: [139-27-410-008]

2. A lien of supplemental taxes, if any, assessed pursuant to the provisions of the Nevada Revised Statute 361.260

3. The property described herein is located within the boundaries of the City of Las Vegas and is subject to any fees that may be charged against said property by the hereinbefore mentioned district.

4. Water rights, claims or title to water.

5. Reservation in the Patent from the State of Nevada
   Recorded: October 17, 1902
   Book "F" of Miscellaneous Records, Pages 230-232 of Lincoln County Records.

6. Excepting all right of access to or from the Easterly Right-of-Way line of U.S. Interstate Route 1-15, said rights having been relinquished by "ORDER OF CONDEMNATION", Case No. A-32228, District Court, in and for the County of Clark, in favor of the State of Nevada, Department of Highways, recorded September 11, 1968 in Book 899 as Document No. 721652 of Official Records.

7. The terms, covenants and provisions of that certain "CITY OF LAS VEGAS REVISED DOWNTOWN DEVELOPMENT AREA" recorded March 11, 1986 in Book 860311 Doc/Inst. No. 00777 of Official Records, and the effect of any failure to comply with same.

   Said instrument contains, among other things, provisions for rehabilitation of the downtown area financed by additional tax assessments.

   Said instrument has been revised by an instrument recorded February 11, 1988 in Book 880211 as Document No. 00382 of Official Records.

   Said instrument has been amended by an instrument recorded November 22, 1996 in Book 961122 as Document No. 00874 of Official Records.

   A "NOTICE OF ADOPTION OF AMENDMENT TO THE REDEVELOPMENT PLAN" recorded November 22, 1996 in Book 961122 as Document No. 00848, re-recorded November 25, 1996 in Book 961125 as Document No. 00566 and as set forth in Record of Survey performed by RITA M. LUMAS, filed in File LG of Local Government Plats at Page 78 recorded November 22, 1996 in Book 961122 as Document No. 00849 of Official Records.

   Reference should be made to said instrument for full particulars.

8 Order of Vacation: Any easements not vacated by that certain "ORDER OF VACATION" recorded August 7, 1992 in Book 920807 as Document No. 00831 of Official Records.

EXHIBIT B

(continued)

SCHEDULE OF TITLE EXCEPTIONS

9. Matters contained in the dedication statement or elsewhere on the tract or parcel map shown below, which among other things provides:

   Tract/Parcel Map: PARKWAY CENTER in Book 53 of Plats, Page 61

10. The terms, covenants and provisions of that certain "WATER FACILITIES INSTALLATION AGREEMENT" executed by LAS VEGAS VALLEY WATER DISTRICT AND UNION PACIFIC REALTY COMPANY recorded November 19, 1993 in Book 931119 Doc/Inst. No. 01226 of Official Records, and the effect of any failure to comply with same.

11. An easement for the purpose shown below and rights incidental thereto as set forth in a document
   Granted to: NEVADA POWER COMPANY
   Purpose: Public utilities
   Recorded: May 1, 1995
   Book: 950501 Doc/Inst. No. 01024 of Official Records

12. Lack of Abutter's Rights and Access Rights affecting that property described in the FINAL ORDER OF CONDEMNATION to the STATE OF NEVADA, on relation of its Department of Transportation, recorded November 3, 1999 in Book 991103 as Document No. 00619 of Official Records.

13. Matters contained in the dedication statement or elsewhere on the tract or parcel map shown below, which among other things provides;

   Tract/Parcel Map: PARCEL MAP in File 99 of Parcel Maps, Page 68

14. Covenants, conditions and restrictions (deleting therefrom any restrictions based on race, color or creed) as set forth in the document
   Recorded: June 14, 2001
   Book 20010614 Doc/Inst. No. 00135 of Official Records

15. The terms, covenants and provisions of that certain "COVENANTS AGREEMENT" recorded June 14, 2001 in Book 20010614 Doc/Inst. No. 00137 of Official Records, and the effect of any failure to comply with same.

16. The effect of the following Record of Survey:
   File No.: 133, Page: 92
   Recorded: October 30, 2003
   Book 20031030 Doc/Inst. No. 01309 of Official Records

17. The terms, covenants and provisions of that certain "EASEMENT AGREEMENT AND RESERVATION OF EASEMENT" recorded December 1, 2003 in Book 20031201 Doc/Inst. No. 00492 of Official Records, and the effect of any failure to comply with same.

18. An option to purchase the herein described property recorded December 1, 2003 in Book 20031201 of Official Records as Doc/Inst. No. 00494:

   Optioner: CITY PARKWAY IV A, INC., a Nevada Corporation
   Optionee: PH GSA LLC, a Nevada limited liability company
   Term: 5 years
   Disclosed by: MEMORANDUM OF OPTION TO PURCHASE

ASSESSOR'S COPY

EXHIBIT B

(continued)

SCHEDULE OF TITLE EXCEPTIONS

The terms, covenants and provisions of that certain "ASSIGNMENT OF OPTION AGREEMENT" recorded March 23, 2005 in Book 20050323 Doc/Inst. No. 03794 of Official Records, and the effect of any failure to comply with same.

19. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein.

Lessor:	CITY PARKWAY IV A, INC., a Nevada Corporation
Lessee:	PH GSA LLC, a Nevada limited liability company
Disclosed by:	MEMORANDUM OF LEASE
Term:	65 years
Recorded:	December 1, 2003
Book	20031201 Doc/Inst. No. 00495 of Official Records

20. An easement for the purpose shown below and rights incidental thereto as set forth in a document

Granted to:	LAS VEGAS VALLEY WATER DISTRICT
Purpose:	Pipelines
Recorded:	January 12, 2004
Book:	20040112 Doc/Inst. No. 00090 of Official Records

21. Order of Vacation: Any easements not vacated by that certain "ORDER OF VACATION" Recorded February 9, 2004 in Book 20040209 as Document No. 00233 of Official Records.

22. An easement for the purpose shown below and rights incidental thereto as set forth in a document

Granted to:	NEVADA POWER COMPANY
Purpose:	Public utilities
Recorded:	September 24, 2004
Book:	20040924 Doc/Inst. No. 02448 of Official Records

23. The terms, covenants and provisions of that certain "Encroachment Agreement", recorded January 3, 2006 in Book 20060103 Doc/Inst. No. 02472 of Official Records, and the effect of any failure to comply with same.

STATE OF NEVADA
DECLARATION OF VALUE

1. **Assessor Parcel Number(s)**
   a) 139-27-410-008
   b) _____
   c) _____
   d) _____

FOR RECORDER'S OPTIONAL USE ONLY
Book: _____ Page: _____
Date of Recording: _____
Notes:

2. **Type of Property:**
   a) XX Vacant Land b) Single Fam Res
   c) Condo/Twnhse d) 2-4 Plex
   e) Apt. Bldg f) Comm'l/Ind'l
   g) Agricultural h) Mobile Home
   Other _____

3. **Total Value/Sales Price of Property:** $**1,000.00**
   Deed in Lieu of Foreclosure Only (value of property) ($0.00)
   Transfer Tax Value per NRS 375.010, Section 2: $1,000.00
   Real Property Transfer Tax Due: **$5.10**

4. **If Exemption Claimed**
   a. Transfer Tax Exemption, per NRS 375.090, Section _____
   b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. **Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.**

Signature _____ **Capacity** agent

Signature _____ **Capacity** _____

SELLER (GRANTOR) INFORMATION (REQUIRED)	**BUYER (GRANTEE) INFORMATION (REQUIRED)**
Print Name: City Parkway IV A Inc	Print Name: PARKWAY CENTER LLC
Address: 400 Stewart Avenue	Address: 3111 South Maryland Parkway
City/State/Zip: Las Vegas, NV	City/State/Zip: Las Vegas, NV 89109

COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)

LAWYERS TITLE OF NEVADA, INC.
1210 S. Valley View Boulevard
Las Vegas, NV 89102

Escrow #: N2107531-100-JG2
Escrow Officer: Jane Grey

AN ADDITIONAL RECORDING FEE OF $1.00 WILL APPLY FOR EACH DECLARATION OF VALUE FORM PRESENTED TO CLARK COUNTY, EFFECTIVE JUNE 1, 2004.

2016

NOT A CERTIFIED COPY

ATTACHMENT 3

Proof of Leasehold Interest

See Attached

This Lease is made and entered into between date by and between
Parkway Center, LLC ("the Lessor"), whose principal place of business is 100 N City Parkway, ste 140, Las Vegas, NV, 89106-4613, and whose interest in the Property described herein is that of Fee Owner, and

The United States of America ("the Government"), acting by and through the designated representative of the Department of Energy ("DOE"), Real Estate Contracting Officer (RECO) upon the terms and conditions set forth herein.

Witnesseth: The parties hereto, for the consideration hereinafter mentioned, covenant and agree as follows:

The Lessor hereby leases to the Government the Premises described herein, being all or a portion of the Property located at

100 N City Parkway,
Las Vegas, NV, 89106

and more fully described as a The Molasky Corporate Center building consisting of 20,713 ANSI/BOMA Rentable Square feet, yielding 17,553 ANSI/BOMA Usable Square Feet, the Lessor shall deliver the fully renovated premises as set forth herein by the date of Lease Commencement, together with rights to the use of 10 GSA Vehicle reserved parking spaces and 110 Employee/Visitor parking spaces and other areas as set forth herein.

LEASE TERM

To Have and To Hold the said Premises with their appurtenances for the term beginning upon acceptance of the Premises as required by this Lease and continuing for a period of

10 Years; 5 Years Firm, and 5 options, 1 year each

subject to termination and renewal rights as may be hereinafter set forth, to be used for such purposes as determined by DOE. The commencement date of this Lease, along with any applicable termination and renewal rights, shall more specifically be set forth in a Lease Amendment upon substantial completion and acceptance of the space by the Government.

In Witness Whereof, the parties to this Lease evidence their agreement to all terms and conditions set forth herein by their signatures below, to be effective as of the date of delivery of the fully executed Lease to the Lessor.

FOR THE LESSOR:

x _____
Name: Richard S. Worthington
Title: President
Date: March 11, 2019

WITNESSED BY:

_____
Name: Anna D. Jiarez
Title: Managing Agent
Date: 3-11-19

FOR THE GOVERNMENT:

x _____
Matthew J Reardon
Real Estate Contracting Officer,
Date: 13MAR2019

N

ATTACHMENT 4

SCOPE OF WORK AND TENTATIVE SCHEDULE OF TENANT IMPROVEMENTS

Use of Funds (Activity)	Source of Funds	Estimated Cost
General Conditions		148,974
Casework		13,440
Insulation		2,800
Doors and Hardware		8,750
Interior Glazing		187,800
Interior Partitions		58,180
Ceilings		22,092
Paint and Wall Coverings		5,601
Flooring		119,275
Specialties		1,920
Plumbing		5,000
HVAC		154,216
Electric		200,000
Total Interior Budget		**928,048**

TOTAL ESTIMATED PROJECT COSTS	$928,048
Estimated Grant	**$50,000.00**

ATTACHMENT "5"

CERTIFICATION

Date:

CITY OF LAS VEGAS REDEVELOPMENT AGENCY

Re: Lease dated , 201 between Parkway Center, LLC ("Landlord") and Department of Energy("Tenant") for 100 North City Parkway, Suite 1750 (the "Premises")
To: Las Vegas Redevelopment Agency ("RDA"):

The undersigned Landlord under the above-captioned lease (the "Lease") hereby certifies as follows in connection with that certain Office Tenant Incentive Agreement between the RDA and Parkway Center, LLC dated , 201 ("RDA Agreement"):

1. Tenant has taken occupancy of the premises which are the subject of the Lease.
2. Tenant has no less than twenty (20) full time employees employed by Tenant and working at the premises which are the subject of the Lease.
3. The Lease is in full force and effect and the tenant improvements which are the subject of the RDA Agreement are completed and accepted by Tenant.
4. There is no actual or pending default of either Tenant or Landlord under the Lease.

Landlord and Tenant hereby acknowledge that RDA is relying on this certification in disbursing funds under the RDA Agreement to Landlord.

LANDLORD:

_____

By: Richard Worthington

Its: President

ATTACHMENT "6"

Certificate of Completion of Construction

APN No.: 139-27-410-021

Recording Required by:

City of Las Vegas Redevelopment

Agency After Recording, Mail to:

Executive Director

City of Las Vegas Redevelopment
Agency 495 S. Main Street, 6th Floor

Las Vegas, Nevada 89101

CERTIFICATE OF COMPLETION
OF CONSTRUCTION

WHEREAS, pursuant to the Office Tenant Agreement ("Agreement") dated _____, 201_, the City of Las Vegas Redevelopment Agency, a public body, corporate and politic (the "Agency"), provided assistance to Parkway Center, LLC, or their permitted assignee(s) (collectively the "Owner") for construction and development of a certain redevelopment project situated in the City of Las Vegas, Nevada, described on Attachments "A" and "B", attached hereto and made a part hereof (the "Site"); and

WHEREAS, as referenced in said Agreement, the Developer shall certify to the Agency that all construction on the Site or a phased portion of the Site has been substantially completed in compliance with the Agreement; and

WHEREAS, as referenced in said Agreement, the Agency shall furnish the Owner with a Certificate of Completion upon completion of all construction, or a portion of the Site which Certificate shall be in such form as to permit it to be recorded in the Recorder's Office of Clark County; and

WHEREAS, such certificate shall be conclusive determination of satisfactory completion of the construction on the Site or a phased portion of the Site required by the Agreement.

Now, therefore:

1. The Owner hereby certifies to the Agency that all construction on the Site has been completed in compliance with the Agreement.

2. The Agency agrees and docs hereby certify that the construction of the Site have been fully and satisfactorily performed and completed as required by the Agreement.

3. Counterparts; Electronic Delivery. This Certificate of Completion may be executed in counterparts, all such counterparts will constitute the same Certification of Completion and the signature of any party to any counterpart will be deemed a signature to, and may be appended to, any other counterpart. Executed copies hereof may be delivered by facsimile or e-mail and upon receipt will be deemed originals and binding upon the Parties hereto, regardless of whether originals are delivered thereafter.

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Execution Blocks on Next Page

IN WITNESS WHEREOF, the Agency has executed this Certificate this day of , 201 .

CITY OF LAS VEGAS REDEVELOPMENT AGENCY

By: _____
CAROLYN G. GOODMAN, CHAIR
"Agency

ATTEST:

Parkway Center, LLC

_____
LUANN D. HOLMES, MMC
Secretary

By: _____
Richard Worthington, President
"Owner"

APPROVED AS TO FORM:

_____
Counsel to the Agency Date

ACKNOWLEDGEMENTS

STATE OF NEVADA)

)ss.

COUNTY OF CLARK)

On this _____ day of _____, 201 , before me, the undersigned Notary Public in and for said County and State, appeared Carolyn G. Goodman, as Chairman of the City of Las Vegas Redevelopment Agency, known to me to be the person who executed the above and foregoing instrument, and who acknowledged to me that he or she did so freely and voluntarily and for the purposes therein mentioned.

_____

Notary Public

ACKNOWLEDGEMENTS

STATE OF _____)
)ss.
COUNTY OF _____)

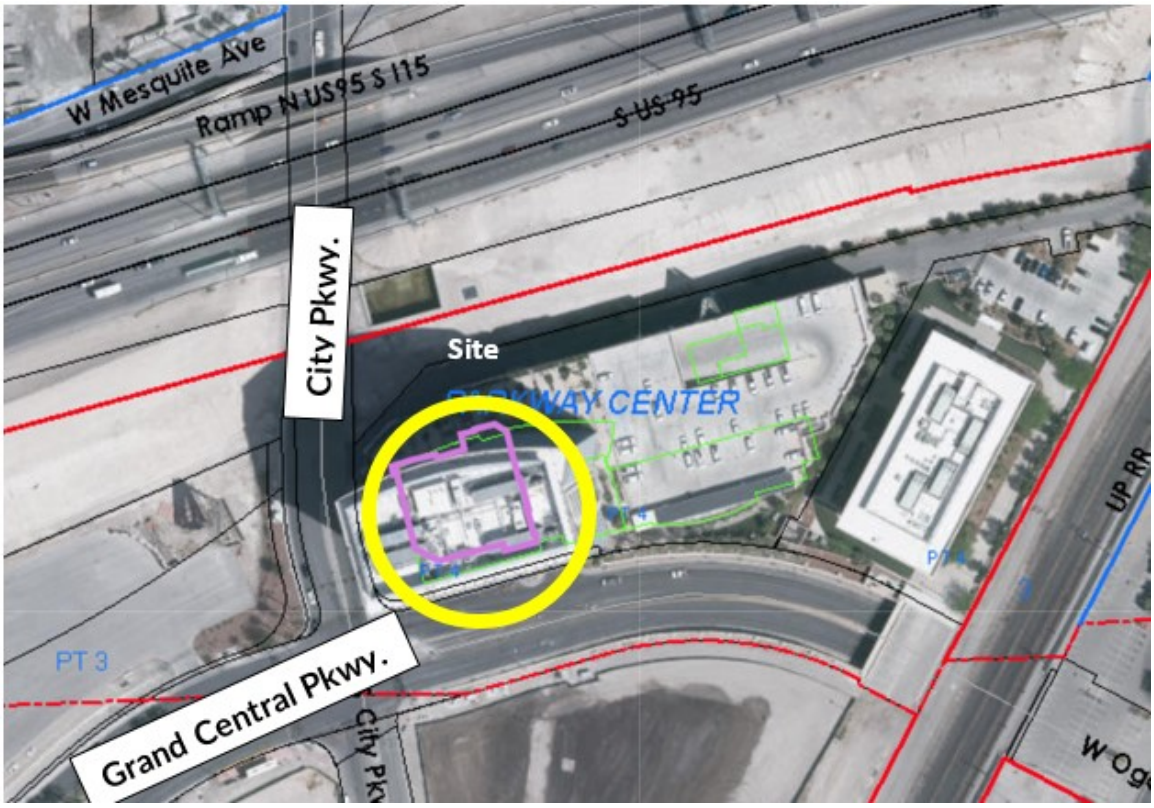
On this _____ day of _____, 201 , before me, the undersigned Notary Public in and for said County and State, appeared _____, as _____ of _____, known to me to be the person who executed the above and foregoing instrument, and who acknowledged to me that he or she did so freely and voluntarily and for the purposes therein mentioned.

_____
Notary Public

ATTACHMENT "A"

SITE MAP

100 N. City Pkwy., Las Vegas, NV 89106
Parkway Center, LLC



ATTACHMENT "B"

Legal Description

All that certain real property situated in the County of Clark, State of Nevada, described as follows:

Being a portion of Lot Four (4) of PARKWAY CENTER (a commercial subdivision) in the City of Las Vegas, County of Clark, State of Nevada as per map recorded in Book 53, Page 61 of Plats in the Office of the County Recorder of said County, situated in the Southwest Quarter (SW ¼) of Section 27, Township 20 South, Range 61 East, M.D.M., more particularly described as follows:

COMMENCING at the Southeast Corner (SE Cor.) of said Lot Four (4), said point being on the Northerly Right-of-Way line of Grand Central Parkway, being a 100.00 foot wide public roadway as dedicated per said Book 53, Page 61 of Plats;
Thence along said line the following Two (2) courses:

North 62°04'10" West, 68.77 feet to a point of curvature;
Thence Westerly, along the arc of a curve to the left, concave Southerly, having a radius of 450.00 feet, through a central angle of 24°18'15", an arc distance of 190.90 feet to the Point of Beginning, a radial line to said point bear North 03°37'29" East; Thence continuing along said line, the following Three (3) courses: Westerly, along the arc of a curve to the left, concave Southerly, having a radius of 450.00 feet, through a central angle of 19°19'21", an arc distance of 151.76 feet;
Thence South 74°18'09" West, 187.93 feet to a pint of curvature;
Thence Northwesterly, along the arc of a curve to the right, concave Northeasterly, having a radius of 25.00 feet, through a central angle of 90°00'00", an arc distance of 39.27 feet to the Westerly line of said Lot Four (4), said point also being on the Easterly Right-of-Way line of "F" Street, being a 60.00 foot wide public roadway as dedicated per said Book 53, Page 61 of Plats;
Thence along said line the following Three (3) courses;
North 15°41'51" West, 43.23 feet to a point of curvature;
Thence Northerly, along the arc of a curve to the right, concave Easterly, having a radius of 270.00 feet, through a central angle of 14°24'02", an arc distance of 67.86 feet;
Thence North 01°17'49" West, 43.11 fee4t to the Southerly line of that certain FINAL ORDER OF CONDEMNATION recorded in Book 991103, Instrument Number 00619 of Official Records;
Thence along said line the following Two (2) courses:
North 42°32'16" East, 111.14 feet;
Thence North 74°47'09" East, 492.89 feet to a line being 254.00 feet Westerly and parallel with measured at right angles from the Easterly line of said Lot Four (4);
Thence along said parallel line South 27°55'16" West, 354.77 feet to the Point of Beginning.

Said Parcel also shown as Phase 2 on that certain Record of Survey on file in File 133 of Surveys, Page 92 in the Office of the County Recorder, Clark County, Nevada.

EXCEPTING THEREFROM that portion conveyed to the City of Las Vegas by that certain Grant Deed recorded November 6, 2003 in Book 20031106 as Document No. 02520 of Official Records.

ATTACHMENT "7"

DISCLOSURE OF PRINCIPALS – OWNER

See Attached

OTIP DISCLOSURE OF OWNERSHIP/PRINCIPALS – **REAL PROPERTY**

OTIP Contracting Entity

Name: Parkway Center LLC

Mailing Address: 100 N. City Parkway, Suite 1700, LV, NV 89106

Tenancy in Common X _____ Joint Tenancy _____

Ownership Interest

Estate in Severalty _____

Disclosure of Ownership/Principals

In the space below, the Contracting Entity must disclose all **persons/individuals** holding more than one percent ownership interest in the real property.

Full Name & Title	Business Address	Business Phone
The Molasky Family 1998 Irrev Trust Fbo Alan Molaksy	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
The Molasky Family 1998 Irrev Trust Fbo-Andrew Molasky	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
The Molasky Family 1998 Irrev Trust Fbo-Beth Molasky	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
The Molasky Family 1998 Irrev Trust Fbo-Steven Molasky	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
The Irwin A. Molasky 1995 Trust	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
The Frey Family 2000 Irrev Trust (Robert Frey, Gary Frey, and Michael Frey)	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
Berlin Road Holding LLC (Richard S. Worthington)	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
B and G Investment LLC (Bradley and Glenda Sher)	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
Development Services (Suzanne Sanders)	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155

Additional Ownership/Principals

The Contracting Entity shall continue the above list on a sheet of paper entitled "Disclosure of Principals – Continuation" until full and complete disclosure is made.

If continuation sheets are attached, please indicate the *number of sheets*: N/A

OTIP DISCLOSURE OF OWNERSHIP/PRINCIPALS – **REAL PROPERTY**

Alternative Disclosure of Ownership/Principal

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this certificate in lieu of providing the information set forth on the previous page. A description of such disclosure documents must be included below.

Name of Attached Document: _____

Date of Attached Document: _____

Number of Pages: _____

Certification of Disclosure of Ownership/Principal - Real Property

I certify, under penalty of perjury, that all the information provided in this certificate is current, complete and accurate.

Signature: _____

Date: Parkway Center LLC

State of Nevada
County of Clark

This instrument was acknowledged before me on

JUNE 19, 2019 (date) by

RICHARD S. WORTHINGTON (name of person)

Melanie Sese

Notary Public

MELANIE SESE
Notary Public State of Nevada
No. 98-1494-1
My Appt. Exp. March 12, 2022

OTIP DISCLOSURE OF OWNERSHIP/PRINCIPALS – **BUSINESS**

OTIP Contracting Entity Information

Name: Parkway Center LLC

Mailing Address: 100 N. City Parkway, Suite 1700, LV, NV 89106

Business Phone: 702-735-0155

Tax ID or Social Security Number: 83-0426507

Type of Business

Sole Proprietor _____ Partnership _____ Limited Liability Company X_____

Corporation _____

Disclosure of Ownership/Principals

In the space below, the Contracting Entity must disclose all **persons/individuals** holding more than one percent ownership interest in the real property.

Full Name & Title	Business Address	Business Phone
The Molasky Family 1998 Irrev Trust Fbo Alan Molaksy	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
The Molasky Family 1998 Irrev Trust Fbo-Andrew Molasky	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
The Molasky Family 1998 Irrev Trust Fbo-Steven Molasky	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
The Molasky Family 1998 Irrev Trust Fbo-Beth Molasky	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
The Irwin A. Molasky 1995 Trust	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
The Frey Family 2000 Irrev Trust (Robert Frey, Gary Frey, and Michael Frey)	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
Berlin Road Holding LLC (Richard S. Worthington)	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
B and G Investment LLC (Bradley and Glenda Sher)	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155
Development Services (Suzanne Sanders)	100 N. City Parkway, #1700, LV, NV 89106	702-735-0155

Additional Ownership/Principals

The Contracting Entity shall continue the above list on a sheet of paper entitled "Disclosure of Principals – Continuation" until full and complete disclosure is made.

If continuation sheets are attached, please indicate the *number of sheets*: N/A

OTIP DISCLOSURE OF OWNERSHIP/PRINCIPALS – **BUSINESS**

Alternative Disclosure of Ownership/Principal

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this certificate in lieu of providing the information set forth on the previous page. A description of such disclosure documents must be included below.

Name of Attached Document: _____

Date of Attached Document: _____

Number of Pages: _____

Certification of Disclosure of Ownership/Principal - Business

I certify, under penalty of perjury, that all the information provided in this certificate is current, complete and accurate.

Signature: _____

Date: Parkway Center LLC

State of Nevada
County of Clark

This instrument was acknowledged before me on

June 19, 2019 (date) by

Richard S. Worthington (name of person)

Melanie Sese

Notary Public

MELANIE SESE
Notary Public State of Nevada
No. 98-1494-1
My Appt. Exp. March 12, 2022

ATTACHMENT “8”

Employment Plan

See Attached

OTIP PARTICIPANT **AFFIDAVIT & EMPLOYMENT PLAN**

STATE OF NEVADA }
} ss:
COUNTY OF CLARK }

I, Richard S. Worhtington, being first duly sworn, depose and state under penalty of perjury as follows:

1. I am a corporate officer, managing member, or sole proprietor of the Parkway Center LLC, a company duly organized in the State of Nevada as a Limited Liability Company, (Corporation/LLC/Sole Proprietorship). The Participant is seeking the assistance of the city of Las Vegas Redevelopment Agency ("Agency") for making improvements to the property at 100 N. City Parkway, ste 1750 ("Site"), as more particularly described by the OTIP agreement ("Agreement") being contemplated by the city of Las Vegas Redevelopment Agency.
2. I hereby warrant that I either own the property, or have a leasehold interest in the site for a minimum of five years subsequent to the effective date of this agreement.

   Assistance from the Agency will allow me to make improvements to the property which I could not otherwise do. This will result in substantial benefit to the Redevelopment Plan Area and the neighborhood adjacent to the property because of one or more of the following reasons (check one or more):

   a. Encourage the creation of new business or other appropriate development; ☑
   b. Create jobs or other business opportunities for nearby residents; ☑
   c. Increase local revenues from desirable sources; ☑
   d. Increase levels of human activity in the redevelopment area or the immediate neighborhood in which the redevelopment area is located; ☑
   e. Possess attributes that are unique, either as to type of use or level of quality and design; ☐
   f. Require for their construction, installation or operation the use of qualified and trained labor; ☑ and
   g. Demonstrate greater social or financial benefits to the community than would a similar set of buildings, facilities, structures or other improvements not paid for by the agency. ☑
3. No other reasonable means of financing those buildings, facilities, structures or other improvements are available, because of one or more of the following reason(s) as checked by the Participant:

   a. An inducement for new businesses to locate, or existing businesses to remain within, the redevelopment area in which the business would ordinarily choose to locate outside the redevelopment area if the grant were not provided. Evidenced by a "but for" letter or statement from the business owner; ☑ or
   b. There is a public objective and/or requirement that is more stringent and/or costly to undertake than a business would ordinarily embark upon. Evidenced by state or city ordinance; ☐ or
   c. There has been a lack of rehabilitation in the area and it is deemed unreasonable for the business to invest in improving the area unless the grant is provided. Evidenced by photographs of the immediate surrounding area displaying the slum and blight; ☐ or

OTIP PARTICIPANT **AFFIDAVIT & EMPLOYMENT PLAN**

Participant agrees to submit to the Agency its documentation which evidences that no reasonable means of financing are available to the Participant.

4. Participant hereby warrants the following:
   a. The property on which the project is situated is free of all Mechanic's Liens at the time of application. RSW (initial)
   b. The applicant has no current bankruptcy proceedings, or past bankruptcy proceedings, whether corporate or personal, within the past five years. RSW (initial)
   c. The applicant has no past-due federal, state, county or city of Las Vegas tax bills at the time of application. RSW (initial)
   d. The applicant has no past-due bills or debts payable to the city of Las Vegas or the Redevelopment Agency. RSW (initial)
5. Applicant will comply with "Developer/Contractor Award Phase") and "Construction Phase" of the city of Las Vegas Redevelopment Agency Employment Plan Policy, revised June 18, 2014
6. If the value of the incentive received by the applicant from the Redevelopment Agency exceeds $100,000 per NRS 279.500(c) the project will be registered with the State of Nevada Office of the Labor Commissioner as a Public Works project, http://labor.nv.gov/PrevailingWage/2016-2017_Prevailing_Wages/ and the applicant will be required to pay Prevailing Wage to all construction workers and submit certified payroll records to both the Redevelopment Agency and the Commissioner on a biweekly basis.

DATED this 19TH day of June, 2019.

Authorized Signature: RSW

SIGNED AND SWORN TO before me

this 19TH day of JUNE, 2019, by RICHARD S. WORTHINGTON

NOTARY PUBLIC Melanie Sese
My Commission Expires: MARCH 12, 2022

MELANIE SESE
Notary Public State of Nevada
No. 98-1494-1
My Appt. Exp. March 12, 2022

SITE MAP

100 N. City Pkwy., Las Vegas, NV 89106

Parkway Center, LLC



AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
50

DEPARTMENT: Economic & Urban Development **CONSENT**
DIRECTOR: Bill Arent

SUBJECT:
RESOLUTIONS:

R-31-2019 - For possible action to approve a Resolution consenting to the undertakings of the City of Las Vegas Redevelopment Agency (RDA) in connection with the Commercial Visual Improvement Program (CVIP) Agreement between the RDA and Ten15 Huntridge, LLC (Owner) located at 1118 East Bonneville Avenue (APN 139-34-801-013), to be in compliance with and in furtherance of the goals and objectives of the RDA - Redevelopment Area Ward 3 (Diaz) [NOTE: This item is related to RDA Item 7 (RA-7-2019)]

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
This is related to a Redevelopment item regarding assisting Ten15 Huntridge, LLC with the cost of improvements to the property located at 1118 East Bonneville Avenue (APN 139-34-801-013). Approval will adopt findings that the CVIP Agreement is in compliance with and furtherance of the goals and objectives of the RDA and the Redevelopment Plan.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
1. Resolution No. R-31-2019
2. Public Purpose Impact Analysis Report
3. Site Map

RESOLUTION NO. R-31-2019

RESOLUTION CONSENTING TO CERTAIN UNDERTAKINGS OF THE CITY OF LAS VEGAS REDEVELOPMENT AGENCY IN CONNECTION WITH THE COMMERCIAL VIP AGREEMENT ("CVIP") BETWEEN THE CITY OF LAS VEGAS REDEVELOPMENT AGENCY ("AGENCY") AND Ten15 Huntridge, LLC. ("OWNER") FOR THE PROJECT CONCERNING THE DEVELOPMENT OF IMPROVEMENTS TO REAL PROPERTY DESCRIBED AS APN 139-34-801-013

WHEREAS, the City of Las Vegas Redevelopment Agency (the "Agency") adopted on March 5, 1986, that plan of redevelopment entitled, to-wit: the Redevelopment Plan for the Downtown Las Vegas Redevelopment Area pursuant to Ordinance 3218, which Redevelopment Plan has been subsequently amended on February 3, 1988, by Ordinance 3339; April 11, 1992, by Ordinance 3637, on November 4, 1996, by Ordinance 4036, on December 17, 2003, by Ordinance 5652 and on May 17, 2006, by Ordinance 5830, and on December 16, 2015, by Ordinance 6448 (the "Redevelopment Plan"); and

WHEREAS, the Redevelopment Plan identifies and designates an area within the corporate boundaries of the City of Las Vegas (the "Redevelopment Area") as in need of redevelopment in order to eliminate the environmental deficiencies and blight existing therein; and

WHEREAS, the Agency approved on October 20, 2004 the form for the Commercial VIP Agreement, the Commercial VIP Affidavit, and the Commercial VIP Manual, in order to provide funding to owners of commercial properties located within the Redevelopment Area for the purpose of making improvements to the exterior of such commercial properties and/or for the development of a vacant parcel with a new commercial building; and;

WHEREAS, Ten15 Huntridge, LLC (the "OWNER") the owner of real property and improvements located at 1118 East Bonneville Avenue, and which parcel is commonly known as APN 139-34-801-013 (the "Site"); and

WHEREAS, Ten15 Huntridge, LLC (the "CVIP PARTICIPANT") is the owner of the real property located at 1118 East Bonneville Avenue, and is undertaking certain exterior improvements to the property or the redevelopment of an underdeveloped property in accordance with the Commercial VIP; and

WHEREAS, the City Council of the City of Las Vegas has considered the findings that the development of improvements to a building, facilities, structures or other improvements to be located at the Site are of benefit to the Redevelopment Area or the immediate neighborhood in which the Redevelopment Area is located; and

WHEREAS, the City Council of the City of Las Vegas has considered the findings that no other reasonable means of financing the building, facilities or structures or other improvements on the Site are available; and

WHEREAS, the City Council of the City of Las Vegas has considered the undertakings of the Agency in connection with the Commercial VIP Agreement (the "Agreement" and attached hereto as Exhibit A), which provides for the contribution of funds to Ten15 Huntridge, LLC for making physical, visual improvements to the building or property located on the Site, all as more fully set forth in the Agreement.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Council of the City of Las Vegas hereby finds and determines that the development of building, facilities, structures or other improvements on the Site are of benefit to the Redevelopment Area or the immediate neighborhood in which the Redevelopment Area is located; and

RESOLVED FURTHER, that the City Council of the City of Las Vegas hereby finds and determines there are no reasonable means of financing those building, facilities, structural or other improvements on the Site; and

RESOLVED FURTHER, that the City Council of the City of Las Vegas hereby consents to the undertakings of the Agency in connection with the Agreement with the "Owner" for the Project concerning the development on the Site.

THE FOREGOING RESOLUTION was passed, adopted and approved this _____ day of _____, 2019.

CITY OF LAS VEGAS

By_____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____

CITY CLERK

APPROVED AS TO FORM:

M. Quirk 6-27-19

_____
Date

Exhibit A

CITY OF LAS VEGAS REDEVELOPMENT AGENCY
COMMERCIAL VISUAL IMPROVEMENT AGREEMENT

THIS COMMERCIAL VISUAL IMPROVEMENT AGREEMENT (the "Agreement") is entered into this _____ day of _____, 2019, by and between the CITY OF LAS VEGAS REDEVELOPMENT AGENCY, a public body in the State of Nevada (hereinafter referred to as the "Agency") and Ten15 Huntridge, LLC, a Nevada limited liability company (hereinafter referred to as the "Owner").

Recitals

WHEREAS, the Agency administers and funds and is funded by the Agency for the purposes of improving the physical appearance of, and encouraging reinvestment in existing commercial structures; and

WHEREAS, in furtherance of the Redevelopment Plan (the "Redevelopment Plan") for the City of Las Vegas Redevelopment Area (the "Redevelopment Area"), the Agency approved a Commercial Visual Improvement Program (the "Commercial VIP") for the purpose of assisting property owners and their tenants in the rehabilitation of their buildings in order to revitalize and promote the economic stability of the redevelopment area; and

WHEREAS, pursuant to the implementation of the Commercial VIP, the Agency wishes to acquire an easement in gross on and upon the exterior walls of buildings (the "Facade Easement"), and a maintenance agreement for the Facade Easement Area (the "Building Façade Maintenance Agreement") located on that certain property, as more particularly described in the "Legal Description of the Site", attached hereto as Attachment " 1 " and incorporated herein, subject to the Owner's and Tenant's agreement to rehabilitate and improve the exterior walls and faces of the buildings on the property in accordance with this Agreement and the Commercial VIP Guidelines (the "CVIP Guidelines"), incorporated herein by reference. The Property is located within or is contiguous to the boundaries of the redevelopment area; and

WHEREAS, in consideration for the acquisition of the Facade Easement, the Agency shall reimburse the Owner for any Pre-approved Qualified Exterior Improvements to a maximum of Twenty-Five Thousand Dollars and 00/100 (**$25,000.00**), and the Owner has provided a 200% matching cash contribution to the Agency's participation to ensure that the Owner has a vested interest in the completion of its site improvements and to ensure a high leveraging of public resources and such improvements are significant in character, as determined by the Agency; and

WHEREAS, the Owner desire to participate in the Commercial VIP pursuant to the terms and provisions of this Agreement and the Owner has provided their consent to the proposed exterior improvements on the property, as evidenced by Attachment " 8 " – VIP Real Property Owner Consent.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the Agency, Owner does hereby agree as follows:

SECTION 1: SCOPE OF AGREEMENT. The purpose of this Agreement is to effectuate the Redevelopment Plan by contributing funds to that certain property, as more particularly described in the "Legal Description of the Site," attached hereto as Attachment " 1 " and incorporated herein by reference. Implementation of this Agreement will further the goals and objectives of the Redevelopment Plan. This Agreement is subject to the provisions of the Redevelopment Plan which the City Council of the City of Las Vegas adopted on March 5, 1986, by Ordinance No. 3218, as amended. Said Redevelopment Plan, as it now exists and as it may be subsequently amended, is incorporated herein by reference and made a part hereof as though fully set forth herein.

SECTION 2: PARTIES TO THE AGREEMENT. The Agency is a public body, corporate and politic, exercising governmental functions and powers, and organized and existing under the Community Redevelopment Law of the State of Nevada (NRS 279.382, et seq.). The principal office of the Agency is located at 495 S. Main Street, Las Vegas, Nevada, 89101. "Agency", as used in this Agreement, includes the City of Las Vegas Redevelopment Agency and any assignee of or successor to its rights, powers and responsibilities. The Owner warrants that, either through a majority interest, or has a valid and binding leasehold interest for five (5) years successive to the Effective Date of this Agreement (as defined hereinafter), the Site. Such ownership or leasehold interest is demonstrated by Attachment " 2 ", "Proof of Ownership or Leasehold Interest", which is attached hereto and is incorporated herein by reference. "Owner", as used in this Agreement, includes not only the Owner but also any assignee of, or successor to, its rights, powers and responsibilities. The Agency and the Owner individually may be referred to as "parties" hereinafter.

SECTION 3: GRANT OF FACADE EASEMENT AND MAINTENANCE AGREEMENT. The Owner agrees to grant and convey and the Agency agrees to acquire and accept conveyance of a nonexclusive easement in gross (the "Facade Easement") on and upon that certain area described in Exhibit A of Attachment " 2 ", attached hereto and incorporated herein (the "Facade Easement Area"), subject to the following conditions:

a. The purchase price for the Facade Easement shall be an amount up to one hundred percent (100%) of the facade improvements, with a not to exceed maximum of Twenty Five Thousand Dollars and 00/100 **($25,000.00)**, for "Pre-approved Qualified Exterior Improvements". Pre-approved Qualified Exterior Improvements which shall be considered for reimbursement includes the following: painting, cleaning, tuck pointing, facade repair/replacement, window repair/replacement, doorways, lighting, new or substantially rehabilitated signage, window tinting, new or replacement awnings, permanent landscaping, parking lots, and rear access renovations. All Pre-approved Qualified Exterior Improvements must be seen from the public right-of-way. The final purchase price will be determined when the project improvements are completed and Owner has submitted paid invoices from contractor(s) to the Agency.

b. Owner shall have provided Agency with all the documents required for participation in the CVIP, as set forth in the CVIP Guidelines in a form acceptable to and approved by the Agency, including without limitation an executed Facade Easement, in substantially the form attached hereto as Attachment " 3 " and a Building Facade Maintenance Agreement, in substantially the form attached hereto as Attachment " 4 ".

c. Agency shall pay Owner the Purchase Price within forty-five (45) days after submission of paid invoices by Owner for the Project Improvements, and inspection and approval of such Improvements, in accordance with the CVIP Guidelines.

d. The Agency shall cause the Facade Easement and the Building Facade Maintenance Agreement to be recorded against the Property promptly after completion of the Project Improvements and upon payment of the Purchase Price by the Agency to the Owner. The Facade Easement and the Building Facade Maintenance Agreement shall commence upon such recordation and shall terminate on the date five (5) years thereafter.

e. Owner hereby agree to maintain the Property, including without limitation the Facade Easement Area and the Project Improvements to be constructed thereon, in accordance with the maintenance provisions set forth in the Building Facade Maintenance Agreement, Attachment " 4 " attached hereto. Owner agrees that all material future changes to the exterior surfacing of the building(s) on the Property, including the Facade Easement Area, shall be subject to the approval of the Agency, which approval shall not be unreasonably withheld. No painting or exterior surfacing which, in the opinion and judgment of Agency, are inharmonious with the general surroundings shall be used on the exterior of any buildings now or to be located on the Property. This covenant shall run with the land for a period of five (5) years from the date the Facade Easement is recorded against the Property. Owner shall be in default of this Agreement if Owner breaches any of the obligations under this Section 3 or Attachment " 4 ".

f. The Agency shall not use or exercise any right granted by the Facade Easement or do anything in a manner that will damage or impair the Facade Easement Area or the structural integrity of the building.

SECTION 4: OWNER'S REPURCHASE OPTION. The Agency hereby grants the Owner the option to repurchase the Facade Easement (the "Option") from the Agency pursuant to the following terms and conditions:

a. Option Term. The term of the Option (the "Option Term" or "Option") shall commence upon recordation of the Facade Easement and shall continue until the termination of the Facade Easement. In order to exercise the Option, the Owner must give sixty (60) days written notice to the Agency that it wishes to exercise the Option.

b. Repurchase Price. If the Owner exercises the Option, the Agency agrees to sell and the Owner agrees to repurchase the Facade Easement in an amount equal to the unamortized portion of the Purchase Price amortized on a straight-line basis over five (5) years. The Amortization Schedule is set out in Exhibit C of Attachment " 3 ", attached hereto and incorporated herein (the "Amortization Schedule").

c. Title, Escrow and Closing Costs. The Owner shall each pay all title, escrow and closing costs and fees associated with the repurchase of the Facade Easement. The

Owner and/or Tenant shall execute such documents and take such actions as may be necessary to effectuate such repurchase.

d. The Owner's right to this Option and the terms and conditions of this Option shall be contained in the Facade Easement to be recorded on the Property

SECTION 5: IMPROVEMENTS TO THE SITE AND PROJECT BUDGET. The Owner shall make improvements to the Site, or to the buildings, fixtures or appurtenances thereon, according to the Scope of Work and Tentative Schedule of Improvements, which is attached hereto as Attachment " 5 " and by this reference is made a part hereof. The Scope of Work and Tentative Schedule of Improvements shall provide a line item budget, acceptable to the Agency, for all work to be performed. Within thirty (30) days of execution of this Agreement by the Agency, Owner agrees to commence, or cause the commencement of, rehabilitation and improvement of the Site, including the Facade Easement Area, pursuant to the plans and other documents submitted by Owner and approved by Agency in accordance with the CVIP Guidelines. Owner shall complete the improvements within one hundred eighty (180) days of commencement of work. Additional time may be given for completion of the improvements upon approval of the Agency, which approval shall be at the sole and absolute discretion of Agency. The improvements to the site also shall be referred to as the "Project" hereinafter. The Agency shall maintain a right of access to the Site, provided that the Agency gives the Owner a minimum of twenty-four (24) hours written, advance notice prior to entering the Site. Owner acknowledges and agrees that Agency has agreed to enter into this Agreement in reliance upon Owner's strict agreement to commence and complete the improvements by the required dates and any failure of Owner to commence and complete the improvements by the required dates will be a material default of Owner under this Agreement giving Agency the right to immediately terminate this Agreement.

SECTION 6: CONTRACTOR SELECTION REQUIREMENTS. If the Project exceeds $10,000, then the Owner in compliance with NRS 279.498 must obtain three (3) or more competitive bids from properly licensed contractors. If the Owner is unable to obtain three (3) or more competitive bids, the Owner shall provide the Agency, upon request, with documentation detailing when and which licensed contractor(s) were contacted.

SECTION 7: COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS. The Owner must comply with all development standards applicable to the Scope of Work, including but not limited to, the Zoning Code of the City of Las Vegas, the Building Code of the City of Las Vegas, and the Fire Code of the City of Las Vegas. Additional development standards may apply depending on the specific location of the Site.

SECTION 8: FAILURE TO COMPLETE WORK. If the contractor selected by the Owner fails to commence and/or complete all of the work specified in the Scope of Work, then the Agency may pursue any and all equitable remedies available under this Agreement, as more specifically described in Section 13 hereinafter.

SECTION 9: UNRELATED IMPROVEMENTS. Nothing herein is intended to limit, restrict or prohibit the Owner from undertaking any other work in or about the subject premises which is unrelated to Commercial VIP provided for in this Agreement.

SECTION 10: COMPLIANCE WITH THE REDEVELOPMENT PLAN AND EMPLOYMENT PLAN. The Agency finds that the Project as contemplated by this Agreement complies with the Commercial VIP Guidelines and therefore would be deemed a substantial benefit to the Redevelopment Area. The Agency finds that the Project, upon completion, would achieve one or more of the following:

1. Encourage new commercial development;
2. Create or retain jobs for nearby residents;
3. Increase local revenues from private revenue sources;
4. Increase levels of human activity in the Redevelopment Area;
5. Possess attributes that are unique, either as to type of use or level of quality and design;
6. Require for their construction, installation or operation the use of qualified and trained labor; or
7. Demonstrate greater social or financial benefits to the community that would a similar set of buildings, facilities, structures or other improvements not paid for by the Agency.

The Agency has also considered the opinions of persons who reside in the Redevelopment Area or the immediate vicinity of the Redevelopment Area. In addition, the Agency has compared the level of spending proposed by the Agency and the projections of future revenue made on the buildings, facilities, structures or other improvements.

The Owner has declared that no other reasonable means of financing are available to undertake the improvements to the Property because the return on investment is not reasonable and the improvements are being financed through cash on hand and/or debt financing through a private lender. Furthermore, the Owner would not undertake the full set of improvements contemplated in the Agreement through resources reasonably available to the Owner pursuant to the Participant Affidavit and Employment Plan, attached hereto as Attachment " 7 " and by this reference made a part hereof.

The Owner has also declared and provided the Agency with an Employment Plan, which is attached hereto as Attachment " 7 " and by this reference is made a part hereof. The Owner, for itself and its successors and assigns, represents that in the construction of improvements on the Site provided for in this Agreement, the Owner shall not discriminate against any employee or applicant for employment because of race, color, creed, religion, sex, marital status, ancestry or national origin.

SECTION 11: CONFLICTS OF INTEREST AND DISCLOSURE REQUIREMENTS. No member, official or employee of the Agency shall have any personal interest, direct or indirect, in this Agreement, nor shall any such member, official or employee participate in any decision relating to this Agreement which affects his personal interests or the interests of any corporation, partnership or association in which he is directly or indirectly interested. The Owner warrants that it has not paid or given, and will not pay or give, any third party any money or other consideration for obtaining this Agreement. No member, official or employee of the Agency shall be personally liable to the Owner in the event of any default or breach by the Agency or for any amount which may become due to the Owner or on any obligations under the terms of this Agreement. Pursuant to Resolution RA-4-99 adopted by the governing board of the Agency effective October 1, 1999,

Owner warrants that they have disclosed, on the Disclosure of Principals form attached hereto as Attachment " 6-A " and Attachment "6-B" and incorporated herein by reference, all persons and entities holding more than 1% (one percent) interest in Owner or any principal member of Owner. Throughout the term hereof, Owner shall notify City in writing of any material change in the above disclosure within fifteen (15) days of any such change.

SECTION 12: DEFAULTS AND REMEDIES. Failure or delay by either party to perform any term or provision of this Agreement constitutes a default under this Agreement ("Event of Default"). In connection with any default of Owner or Agency under this Agreement, the non-defaulting party shall have the right to terminate immediately this Agreement upon written notice to the defaulting party without any cure right for the benefit of the defaulting party. In addition to any other rights or remedies, either party may institute legal action to cure, correct or remedy any default, to recover damages for any default or to obtain any other remedy consistent with the purpose of this Agreement. Such legal actions must be instituted in the District Court, County of Clark State of Nevada, in any other appropriate court in that county, or in the Federal District Court in the appropriate district of Nevada. The non-defaulting party may also, at its option, cure the breach and sue in any court of proper jurisdiction to collect the reasonable costs incurred by virtue of curing or correcting the defaulting party's breach. Further, the non-defaulting party may file legal action to require the defaulting party to specifically perform the terms and conditions of this Agreement. Upon occurrence of an Event of Default by either the Owner or the Agency during the existence of this Agreement, the non-defaulting party, at its option, may institute an action for specific performance of the terms and obligations (including the payment of any monetary obligation) of this Agreement. During the existence of this Agreement and upon the occurrence of an Owner Event of Default, the Agency shall have the right to terminate, and this Agreement shall so terminate, the date that the written notice of termination is received by the Owner or such other date as may be specified in the written notice. In the event of termination of this Agreement by the Agency, then (i) any obligation of Agency to acquire the Façade easement shall terminate and be null and void and (ii) Owner agrees to return any and all Agency Funds heretofore paid to the Tenant pursuant to the provisions of this Agreement within ten (10) calendar days after the termination date. Failure to return any and all Agency Funds paid to the Owner shall entitle the Agency to sue the Owner for specific performance as provided in this Section and to pursue the Agency's remedies, legal and equitable, for such damages as permitted by law.

SECTION 13: SUBSEQUENT AGENCY APPROVALS. Any approvals of the Agency required and permitted by the terms of this Agreement may be given by the Executive Director of the Agency or such other person that the Agency designates in writing.

SECTION 14: TERM. The term of this Agreement shall end upon the completion of all duties and obligations to be performed by each of the parties hereto.

SECTION 15: SEVERABILITY. Whenever possible, each provision of this Agreement shall be interpreted in such a manner as to be valid under applicable law, but if any provision shall be invalidated, it shall be deemed to be severed from this Agreement and the remaining provisions shall remain in full force and effect.

SECTION 16: GOVERNING LAW. The interpretation and enforcement of this Agreement shall

be governed in all respects by the laws of the State of Nevada.

SECTION 17: NOTICES. Notices shall be in writing and shall be given by personal delivery, by deposit in the United States mail, certified mail, return receipt requested, postage prepaid, or by express delivery service, freight prepaid, in each case by delivery to the Owner and the Agency at the addresses set forth in this Agreement or at such other address as a party may designate in writing. The date notice given shall be the date on which the notice is delivered, if notice is given by personal deliver, or five (5) calendar days after the date of deposit in the mail or with an express delivery service, if the notice is sent through the United States mail.

If to the Agency: City of Las Vegas Redevelopment Agency
495 S. Main Street, 6th Floor
Las Vegas, NV 89101

If to the Owner: Ten15 Huntridge, LLC
Attn.: J Dapper
985 White Drive, #100
Las Vegas, Nevada 89119

SECTION 18: CAPTIONS. The captions contained in this Agreement are for the convenience of the parties and shall not be construed so as to alter the meaning of the provisions of the Agreement.

SECTION 19: ENTIRE AGREEMENT, WAIVERS AND AMENDMENTS. This Agreement is executed in three duplicate originals, each of which is deemed to be an original. This includes Attachment "1" through Attachment "8" inclusive, attached hereto and incorporated herein by reference, all of which constitute the entire understanding and agreement of the parties. This Agreement integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreements between the parties with respect to all or any part of the subject matter hereof. All waivers of the provisions of this Agreement must be in writing and signed by the appropriate authorities of Agency and the Owner and no waiver of one provision shall be construed as a waiver of that provision in the future or as a waiver of any other provision. All amendments hereto must be in writing and signed by the appropriate authorities of Agency and Owner.

SECTION 20: COUNTERPARTS; ELECTRONIC DELIVERY. This Agreement may be executed in counterparts, all such counterparts will constitute the same contract and the signature of any party to any counterpart will be deemed a signature to, and may be appended to, any other counterpart. Executed copies hereof may be delivered by facsimile or e-mail and upon receipt will be deemed originals and binding upon the parties hereto, regardless of whether originals are delivered thereafter.

SECTION 21: TIME FOR AGENCY TO ACCEPT AGREEMENT. This Agreement has been approved on _____, 201 by the City of Las Vegas Redevelopment Agency. The effective date of this Agreement shall be the date when this Agreement has been signed by the Agency ("Effective Date").

Date of Agency Approval:

_____, 2019.

CITY OF LAS VEGAS REDEVELOPMENT AGENCY

By: _____
CAROLYN G. GOODMAN, CHAIR
"Agency"

APPROVED AS TO FORM:

_____
Counsel to the Agency Date

ATTEST:

_____
Secretary

OWNER – Ten15 Huntridge, LLC

By: _____
J Dapper

Its: Manager

LIST OF ATTACHMENTS

ATTACHMENT " 1 "	LEGAL DESCRIPTION OF THE PROPERTY
ATTACHMENT " 2 "	PROOF OF OWNERSHIP OR LEASEHOLD INTEREST
ATTACHMENT " 3 "	FORM OF FAÇADE EASEMENT
ATTACHMENT " 4 "	FORM OF BUILDING FAÇADE MAINTENANCE AGREEMENT
ATTACHMENT " 5 "	SCOPE OF WORK AND TENTATIVE SCHEDULE OF IMPROVEMENTS
ATTACHMENT "6-A "	DISCLOSURE OF PRINCIPALS – PROPERTY OWNER
ATTACHMENT "6-B"	DISCLOSURE OF PRINCIPALS – BUSINESS
ATTACHMENT " 7 "	PARTICIPANT AFFIDAVIT & EMPLOYMENT PLAN
ATTACHMENT "8"	VIP REAL PROPERTY OWNER CONSENT

ATTACHMENT 1

LEGAL DESCRIPTION OF THE PROPERTY

PARCEL ONE (1):

A PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 61 EAST, CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF LOT 14 IN BLOCK TWO (2) AS SHOWN BY MAP THEREOF ON FILE IN BOOK 4, PAGE 6 OF PLATS, IN THE CLARK COUNTY, NEVADA RECORDER'S OFFICE: BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT FOURTEEN (14), THENCE NORTH 62° 02' 00" WEST ALONG THE NORTH LINE OF SAID LOT FOURTEEN (14), A DISTANCE OF 45.60 FEET TO A POINT
THENCE SOUTH 27° 59' 05" WEST A DISTANCE OF 50.00 FEET TO A POINT
THENCE SOUTH 62° 02' 00" EAST A DISTANCE OF 45.50 FEET TO A POINT,
THENCE NORTH 27° 59' 05" EAST A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

PARCEL TWO (2):

A PORTION OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 61 EAST, CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF LOT FOURTEEN (14) OF MARYLAND TRACT NO. 2, AS SHOWN BY MAP THEREOF ON FIRLE IN BOOK 4 PAGE 6, OF PLATS, SAID BEING THE TRU POINT OF BEFINNING;
THENCE SOUTH 27° 59' 05" WEST A DISTANCE OF 100.00 FEET;
THENCE SOUTH 62° 02' 00" EAST A DISTANCE OF 130 FEET;
THENCE NORTH 27° 59' 05" EAST A DISTANCE OF 100 FEET;
THENCE NORTH 62° 02' 00" WEST A DISTANCE OF 130 FEET BACK TO THE POINT OF BEGINNING.

PARCEL THREE (3):

THAT PORTION OF LOT 14 IN BLOCK 2 OF MARYLAND TRACT NO. 2, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 4 OF PLATS, PAGE 6, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST EASTERLY CORNER OF SAID POPERTY LOT 14; THENCE NORTH 62° 02' WEST ALONG THE NORTH LINE OF SAID LOT 14 A DISTANCE OF 45.60 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING NORTH 62° 02' WEST 54.40 FEET;
THENCE SOUTH 27° 58' 05" WEST 50 FEET;
THENCE SOUTH 62° 02' EAST 54.40 FEET;
THENCE NORTH 27° 29' 05" EAST 50.00 FEET TO THE POINT OF BEGINNING.

ATTACHMENT 2

PROOF OF OWNERSHIP OR LEASEHOLD INTEREST

See Attached

Inst #: 20151012-0003247
Fees: $23.00 N/C Fee: $0.00
RPTT: $0.00 Ex: #003
10/12/2015 11:00:53 AM
Receipt #: 2577909
Requestor:
NEVADA TITLE LAS VEGAS
Recorded By: TAH Pgs: 9
DEBBIE CONWAY
CLARK COUNTY RECORDER

A.P.N#: 139-34-801-003, 139-34-801-004, 139-34-813-013
Escrow #: 15-06-0483-DTL

Return to:
Ten15 Huntridge, LLC,
A Nevada limited liability company
985 White Drive
Las Vegas, NV 89119

RE-RECORD
GRANT, BARGAIN, SALE DEED

This Deed is being re-recorded to correct the legal description contained in that certain Deed recorded on October 7, 2015 in Book 20151007 as Instrument No. 0002059

This page added to provide additional information required by NRS 111.312 Sections 1-2 (Additional recording fee applies).

This cover page must be typed or printed clearly in black ink only.

Inst #: 20151007-0002059
Fees: $20.00 N/C Fee: $0.00
RPTT: $3952.50 Ex: #
10/07/2015 03:12:30 PM
Receipt #: 2575242
Requestor:
NEVADA TITLE LAS VEGAS
Recorded By: OSA Pgs: 6
DEBBIE CONWAY
CLARK COUNTY RECORDER

A.P. N.: 139-34-801-003, 139-34-801-004, 139-34-813-013
R.P.T.T.: $3,952.50

Escrow #15-06-0483-DTL

Mail tax bill to and
When recorded mail to:
Ten15 Huntridge, LLC, a Nevada limited liability company
985 White Drive
Las Vegas, NV 89119

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH, That **Benchmark Enterprises, LLC, a Nevada limited liability company,** for a valuable consideration, the receipt of which is hereby acknowledged, do(es) hereby Grant, Bargain, Sell and Convey to **TEN15 Huntridge, LLC, a Nevada limited liability company,** all that real property situated in the County of Clark, State of Nevada, bounded and described as follows:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "A".

COMMONLY KNOWN ADDRESS:
602 Through 612 S. Maryland Pkwy And 1118 & 1122 E Bonneville Ave, Las Vegas, NV

SUBJECT TO:

1. Taxes for the current fiscal year, not delinquent, including personal property taxes of any former owner, if any:
2. Restrictions, conditions, reservations, rights, rights of way and easements now of record, if any, or any that actually exist on the property.

TOGETHER WITH all singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

A.P. N.: 139-34-801-003, 139-34-801-004, 139-34-813-013
R.P.T.T.: $3,952.50

Escrow #15-06-0483-DTL

Mail tax bill to and
When recorded mail to:
Ten15 Huntridge, LLC, a Nevada limited liability company
985 White Drive
Las Vegas, NV 89119

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH, That **Benchmark Enterprises, LLC, a Nevada limited liability company,** for a valuable consideration, the receipt of which is hereby acknowledged, do(es) hereby Grant, Bargain, Sell and Convey to **TEN15 Huntridge, LLC, a Nevada limited liability company**, all that real property situated in the County of **Clark,** State of Nevada, bounded and described as follows:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "A".

COMMONLY KNOWN ADDRESS:
602 Through 612 S. Maryland Pkwy And 1118 & 1122 E Bonneville Ave, Las Vegas, NV

SUBJECT TO:

1. Taxes for the current fiscal year, not delinquent, including personal property taxes of any former owner, if any:
2. Restrictions, conditions, reservations, rights, rights of way and easements now of record, if any, or any that actually exist on the property.

TOGETHER WITH all singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

IN WITNESS WHEREOF, this instrument has been executed this 24th day of September, 2015.

Benchmark Enterprises, LLC, a Nevada limited liability company

By: Jack Woodcock, Manager
JACK WOODCOCK

State of NEVADA }
} ss:
County of Clark }

This instrument was acknowledged before me on September 24, 2015
by Jack Woodcock as manager of Benchmark Enterprises, LLC, a Nevada limited liability company.

NOTARY PUBLIC
My Commission Expires:

LAUREN PLAISTED
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 02-75985-1
My Appt. Expires May 2, 2018

Lauren Plaisted
No. 02-75985-1
Exp. 5/2/2018

Exhibit "A"

PARCEL ONE (1):

A PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 61 EAST, CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF LOT 14 IN BLOCK TWO (2) AS SHOWN BY MAP THEREOF ON FILE IN BOOK 4, PAGE 6 OF PLATS, IN THE CLARK COUNTY, NEVADA RECORDER'S OFFICE:
BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT FOURTEEN (14), THENCE NORTH 62°02'00" WEST ALONG THE NORTH LINE OF SAID LOT FOURTEEN (14), A DISTANCE OF 45.60 FEET TO A POINT
THENCE SOUTH 27°59'05" WEST A DISTANCE OF 50.00 FEET TO A POINT
THENCE SOUTH 62°02'00" EAST A DISTANCE OF 45.50 FEET TO A POINT,
THENCE NORTH 27°59'05" EAST A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

PARCEL TWO (2):

A PORTION OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 61 EAST, CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF LOT FOURTEEN (14) OF MARYLAND TRACT NO. 2, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 4 PAGE 6, OF PLATS, SAID BEING THE TRUE POINT OF BEGINNING;
THENCE SOUTH 27° 59'05" WEST A DISTANCE OF 100 FEET;
THENCE SOUTH 62°02'00" EAST A DISTANCE OF 130 FEET;
THENCE NORTH 27°59'05" EAST A DISTANCE OF 100 FEET;
THENCE NORTH 62° 02'00" WEST A DISTANCE OF 130 FEET BACK TO THE POINT OF BEGINNING.

PARCEL THREE (3):

THAT PORTION OF LOT 14 IN BLOCK 2 OF MARYLAND TRACT NO. 2, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 4 OF PLATS, PAGE 6, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST EASTERLY CORNER OF SAID PROPERTY LOT 14; THENCE NORTH 62°02' WEST ALONG THE NORTH LINE OF SAID LOT 14 A DISTANCE OF 45.60 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING NORTH 62°02' WEST 54.40 FEET;
THENCE SOUTH 27°58'05" WEST 50.00 FEET;
THENCE SOUTH 62°02' EAST 54.40 FEET;
THENCE NORTH 27°29'05" EAST 50.00 FEET TO THE POINT OF BEGINNING.

State of Nevada
Declaration of Value Form

1. Assessor Parcel Number(s)
   a) 139-34-801-003, 139-34-801-004, 139-34-813-013
   b) _____
   c) _____
   d) _____

FOR RECORDER'S OPTIONAL USE ONLY
Book: _____ Page _____
Date of Recording: _____
Notes:

2. Type of Property:
   a. ☐ Vacant Land b. ☐ Sgl. Fam. Residence
   c. ☐ Condo/Twnhse d. ☐ 2-4 Plex
   e. ☐ Apt. Bldg. f. X Comm'l/Ind'l
   g. ☐ Agricultural h. ☐ Mobile Home
   ☐ Other _____

3 a. Total Value/Sales Price of Property: $775,000.00

   b. Deed in Lieu of Foreclosure Only (value of property): _____

   c. Transfer Tax Value: $775,000.00

   d. Real Property Transfer Tax Due: $3,952.50

4. **If Exemption Claimed:**

   a. Transfer Tax Exemption, per NRS 375.090, Section: _____

   b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: 100 %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. **Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.**

Signature: _____ Capacity: GRANTOR/SELLER

Signature: _____ Capacity: GRANTEE/BUYER

SELLER (GRANTOR) INFORMATION (REQUIRED)		BUYER (GRANTEE) INFORMATION (REQUIRED)	
Print Name:	Benchmark Enterprises, LLC, a Nevada limited liability company	Print Name:	Ten15 Huntridge, LLC, a Nevada limited liability company
Address:	7475 W Sahara Ave., Suite 100	Address:	985 White Drive
City:	Las Vegas	City:	Las Vegas
State:	NV Zip: 89117	State:	NV Zip: 89119

COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)

Print Name: Nevada Title Company Esc. #: 15-06-0483-DTL
Address: 3993 Howard Hughes Parkway, Suite 120
City: Las Vegas State: NV Zip: 89169

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

State of Nevada
Declaration of Value Form

1. Assessor Parcel Number(s)
   a) 139-34-801-003, 139-34-801-004, 139-34-813-013
   b)
   c)
   d)

FOR RECORDER'S OPTIONAL USE ONLY
Book: _____ Page _____
Date of Recording: _____
Notes:

2. Type of Property:
   a. ☐ Vacant Land b. ☐ Sgl. Fam. Residence
   c. ☐ Condo/Twnhse d. ☐ 2-4 Plex
   e. ☐ Apt. Bldg. f. ☒ Comm'l/Ind'l
   g. ☐ Agricultural h. ☐ Mobile Home
   ☐ Other

3 a. Total Value/Sales Price of Property $0.00

   b. Deed in Lieu of Foreclosure Only (value of property)

   c. Transfer Tax Value: $0.00

   d. Real Property Transfer Tax Due $0.00

4. **If Exemption Claimed:**

   a. Transfer Tax Exemption, per NRS 375.090, Section: EXEMPT 3

   b. Explain Reason for Exemption: Re-Recorded to correct legal in GBSD recorded 10/7/2015 in Book 20151007 as Document No. 0002059

5. Partial Interest: Percentage being transferred: 100 %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. **Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.**

Signature: _____ Capacity: GRANTOR/SELLER

Signature: _____ Capacity: AS TITLE AGENT

SELLER (GRANTOR) INFORMATION (REQUIRED)		BUYER (GRANTEE) INFORMATION (REQUIRED)	
Print Name:	Benchmark Enterprises, LLC, a Nevada limited liability company	Print Name:	Ten15 Huntridge, LLC, a Nevada limited liability company
Address:	7475 W Sahara Ave., Sutie 100	Address:	985 White Drive
City:	Las Vegas	City:	Las Vegas
State:	NV Zip: 89117	State:	NV Zip: 89119

COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)

Print Name: Nevada Title Company Esc. #: 15-06-0483-DTL
Address: 3993 Howard Hughes Parkway, Suite 120
City: Las Vegas State: NV Zip: 89169

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

Form **W-9**
(Rev. August 2013)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Print or type
See Specific Instructions on page 2.

Name (as shown on your income tax return)
TEN15 HUNTRIDGE LLC

Business name/disregarded entity name, if different from above

Check appropriate box for federal tax classification:
☐ Individual/sole proprietor ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☑ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ P

☐ Other (see instructions) ▶

Exemptions (see instructions):
Exempt payee code (if any) _____
Exemption from FATCA reporting code (if any) _____

Address (number, street, and apt. or suite no.)
985 WHITE DR #100

Requester's name and address (optional)

City, state, and ZIP code
LAS VEGAS NV 89119

List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number
			-		-				

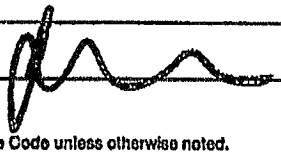
Employer identification number
4	7	-	5	0	9	4	0	2	2

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below), and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here Signature of U.S. person ▶  Date ▶ 9-21-15

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. The IRS has created a page on IRS.gov for information about Form W-9, at *www.irs.gov/w9*. Information about any future developments affecting Form W-9 (such as legislation enacted after we release it) will be posted on that page.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, payments made to you in settlement of payment card and third party network transactions, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct.

Note. If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

EXHIBIT A
of Attachment 2

DESCRIPTION OF THE FACADE EASEMENT AREA

Facade Easement Area: The area consisting of the building face of said building, which is set back from the street and faces Bonneville Ave., to the North and Maryland Pkwy., to the East as described in *"Attachment 1 – Legal Description of the Property"* and other public areas, including all exterior wall planes, window, doors, fascias, awnings, parking area, and other architectural projections.

The Facade Easement granted herein shall terminate five (5) years from the date of execution of the recordation of this Facade Easement without further action upon the City of Las Vegas Redevelopment Agency.

ATTACHMENT 3

FORM OF FACADE EASEMENT

APN: 139-34-801-013

RECORDING REQUESTED BY

CITY OF LAS VEGAS
REDEVELOPMENT AGENCY

AND WHEN RECORDED RETURN TO:

City of Las Vegas Redevelopment Agency
495 South Main Street, 6th Floor
Las Vegas, NV 89101
ATTN: Operations Officer

FACADE EASEMENT

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Ten15 Huntridge, LLC ("Grantor"), does hereby grant to the CITY OF LAS VEGAS REDEVELOPMENT AGENCY, a public body, corporate and politic ("Grantee"), a nonexclusive facade easement (the "Facade Easement") in gross on and upon a portion of the real property described in Exhibit A, attached hereto and incorporated herein by this reference (the "Property"). The precise description of the area of the facade easement is described in Exhibit B attached hereto and incorporated hereby by reference (the "Facade Easement Area").

1. Grantee is responsible for carrying out the Redevelopment Plan for the City of Las Vegas Redevelopment Area (the "Redevelopment Area"). In furtherance of the Redevelopment Plan, Grantor and Grantee entered into a Commercial Visual Improvement Agreement and Grant of Facade Easement dated _____ (the "CVIP Agreement") which required the Grantor to improve the facades(s) of the building(s) on the Property in accordance with the CVIP Agreement and Grantee's Commercial Visual Improvement Guidelines.

2. Grantor shall maintain the Property and the Facade Easement Area in accordance with the Facade Easement Agreement, including without limitation, the provisions set forth in the Building Facade Maintenance Agreement, recorded against the Property by separate instrument. Grantor agrees that all material future changes to the exterior surface of the facades of the building that have been improved on the Property shall be subject to the approval of the Grantee, which approval shall not be unreasonably withheld. This covenant shall run with the land until five (5) years from the date this Facade Easement is recorded against the Property.

3. Grantee may use the Facade Easement for the purpose of ensuring the repair and maintenance of the Facade Easement Area, including the Facade Improvements to be constructed thereon, in accordance with the Facade Easement Agreement.

4. The Facade Easement shall include ancillary rights of ingress and egress over any portion of the Property that is necessary in order to repair and maintain the Facade Improvements located on and within the Facade Easement Area.

5. Grantor covenants by and for himself or herself, his or her heirs, executors, administrators, and assigns, and all persons claiming under or through them, that there shall be no discrimination against or segregation of, any person or group of persons on account of race, color, creed, religion, sex, marital status, national origin, ancestry, age, sexual preference, physical handicap or medical condition in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of the premises herein conveyed, nor shall Grantor or any person claiming under or through him or her, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees, or vendees in the premises herein conveyed. The foregoing covenants shall run with the land.

6. The Grantee shall not use or exercise any right granted by the Facade Easement or do anything in a manner that will damage or impair the Facade Easement Area or the structural integrity of the building.

7. In the event of a violation of this Agreement by Grantor, the Grantee may, following reasonable notice to Grantor and after allowing thirty (30) days to correct said violation, institute a suit to enjoin such violation and to require the restoration of the Facade Improvements to their prior condition. In the alternative, the Grantee may enter upon the Property, correct any such violation and hold the Grantor and, his or her heirs, successors and assigns, responsible for the costs thereof in accordance with the Facade Easement Agreement and Building Facade Maintenance Agreement.

8. The Facade Easement granted herein shall terminate on the date which is five (5) years from the date of recordation of this Facade Easement.

9. Grantor shall have the option to repurchase the Facade Easement granted herein (the "Option") from the Grantee pursuant to the terms and conditions set forth hereunder.

a. Option Term. The term of the Option (the "Option Term") shall commence thirty (30) days after recordation of the Facade Easement and shall continue until five (5) years from the date of the recordation of this Façade Easement. In order to exercise the Option, the Grantor must give sixty (60) days written notice to the Grantee that it wishes to exercise the Option.

b. Repurchase Price. If the Grantor exercises the Option, the Grantee agrees to sell and the Grantor agrees to repurchase the Facade Easement in an amount equal

to the unamortized portion of the Purchase Price amortized on a straight-line basis over five (5) years. The Amortization Schedule is set out in Exhibit C, attached hereto and incorporated herein (the "Amortization Schedule").

c. Title, Escrow and Closing Costs. The Grantor shall pay for all title, escrow and closing costs and fees associated with the repurchase of the Facade Easement. The Grantor and Grantee shall cooperate in good faith and execute such documents and take such actions as may be necessary to effectuate such repurchase.

10. The obligations and benefits imposed and granted in this Facade Easement shall be binding on Grantor and all successor owners of the Property and inure to the benefit of the Grantee, its successors and assigns and are intended to run with the land.

11. The provisions of this Facade Easement may be amended or terminated in full only by a written agreement between the Grantor and Grantee.

12. Nothing contained in this Facade Easement shall be deemed to be a gift or dedication of any portion of Property to the general public or for the general public for any public purpose whatsoever, it being the intention of the parties to this Facade Easement that the Facade Easement shall be strictly limited to and for the purposes expressed in this Facade Easement.

13. This declaration shall be governed by and construed in accordance with the laws of the State of Nevada.

14. The Facade Easement granted herein shall be binding on and inure to the benefit of the successors and assigns of the parties and are intended to bind and burden the Property described in Exhibit A.

IN WITNESS WHEREOF, Grantor has executed this Facade Easement as of this ____ day of _____, 2019

Ten15 Huntridge, LLC

By:_____
J Dapper
Its: Manager

"GRANTOR"

ACCEPTED AND AGREED TO:

CITY OF LAS VEGAS REDEVELOPMENT AGENCY

By: _____
CAROLYN G. GOODMAN

Its: Chair

"GRANTEE"

ATTEST:

_____
LUANN D. HOLMES, MMC
Secretary

APPROVED AS TO FORM

_____
Counsel to the Agency Date

ACKNOWLEDGMENTS

STATE OF _____)
) ss.
COUNTY OF _____)

This instrument was acknowledged before me on the ____ day of _____, 2019 by J Dapper as Manager of Ten15 Huntridge, LLC.

_____
Notary Public in and for said County and State

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

This instrument was acknowledged before me on the ____ day of _____, 2019 by Carolyn G. Goodman as Chair of the City of Las Vegas Redevelopment Agency.

_____
Notary Public in and for said County and State

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

PARCEL ONE (1):

A PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 61 EAST, CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF LOT 14 IN BLOCK TWO (2) AS SHOWN BY MAP THEREOF ON FILE IN BOOK 4, PAGE 6 OF PLATS, IN THE CLARK COUNTY, NEVADA RECORDER'S OFFICE: BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT FOURTEEN (14), THENCE NORTH 62° 02' 00" WEST ALONG THE NORTH LINE OF SAID LOT FOURTEEN (14), A DISTANCE OF 45.60 FEET TO A POINT
THENCE SOUTH 27° 59' 05" WEST A DISTANCE OF 50.00 FEET TO A POINT
THENCE SOUTH 62° 02' 00" EAST A DISTANCE OF 45.50 FEET TO A POINT,
THENCE NORTH 27° 59' 05" EAST A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

PARCEL TWO (2):

A PORTION OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 61 EAST, CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF LOT FOURTEEN (14) OF MARYLAND TRACT NO. 2, AS SHOWN BY MAP THEREOF ON FIRLE IN BOOK 4 PAGE 6, OF PLATS, SAID BEING THE TRU POINT OF BEFINNING;
THENCE SOUTH 27° 59' 05" WEST A DISTANCE OF 100.00 FEET;
THENCE SOUTH 62° 02' 00" EAST A DISTANCE OF 130 FEET;
THENCE NORTH 27° 59' 05" EAST A DISTANCE OF 100 FEET;
THENCE NORTH 62° 02' 00" WEST A DISTANCE OF 130 FEET BACK TO THE POINT OF BEGINNING.

PARCEL THREE (3):

THAT PORTION OF LOT 14 IN BLOCK 2 OF MARYLAND TRACT NO. 2, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 4 OF PLATS, PAGE 6, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST EASTERLY CORNER OF SAID POPERTY LOT 14; THENCE NORTH 62° 02' WEST ALONG THE NORTH LINE OF SAID LOT 14 A DISTANCE OF 45.60 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING NORTH 62° 02' WEST 54.40 FEET;
THENCE SOUTH 27° 58' 05" WEST 50 FEET;
THENCE SOUTH 62° 02' EAST 54.40 FEET;
THENCE NORTH 27° 29' 05" EAST 50.00 FEET TO THE POINT OF BEGINNING.

EXHIBIT B

DESCRIPTION OF THE FACADE EASEMENT AREA

Facade Easement Area: The area consisting of the building face of said building, which is set back from the street and faces Bonneville Ave., to the North and Maryland Pkwy., to the East as described in *"Attachment 1 – Legal Description of the Property"* and other public areas, including all exterior wall planes, window, doors, fascias, awnings, parking area, and other architectural projections.

The Facade Easement granted herein shall terminate five (5) years from the date of execution of the recordation of this Facade Easement without further action upon the City of Las Vegas Redevelopment Agency

EXHIBIT C

FORM OF FACADE EASEMENT REPURCHASE PRICE AMORTIZATION SCHEDULE

1. Amount of Purchase Price: $25,000.00 (Maximum)

2. Repurchase Price based on unamortized portion of Purchase Price amortized on straight-line basis over five (5) years as follows:

Anytime during first year:	$25,000.00
Anytime during second year:	$20,000.00
Anytime during third year:	$15,000.00
Anytime during fourth year:	$10,000.00
Anytime during fifth year:	$5,000.00

After five full years from recordation of the Facade Easement Deed: $0.00

ATTACHMENT 4

FORM OF BUILDING FACADE MAINTENANCE AGREEMENT

APN: 139-34-801-013

RECORDING REQUESTED BY

CITY OF LAS VEGAS
REDEVELOPMENT AGENCY

AND WHEN RECORDED RETURN TO:

City of Las Vegas Redevelopment Agency
495 South Main Street, 6th Floor
Las Vegas, NV 89101
ATTN: Operations Officer

BUILDING FACADE MAINTENANCE AGREEMENT

THIS AGREEMENT is made this ____ day of _____, 2019, between Ten15 Huntridge, LLC, a Nevada limited liability company hereinafter referred to as "Owner" and the CITY of LAS VEGAS REDEVELOPMENT AGENCY, a public body, corporate and politic, hereinafter referred to as "Agency" with reference to the following facts:

WHEREAS, Owner is the owner of that real property ("the Property") in the City of Las Vegas, County of Clark, State of Nevada, legally described in Exhibit " A " attached hereto by this reference, commonly known as 1118 East Bonneville Avenue, Las Vegas, Nevada and currently designated as Assessor's Parcel No. 139-34-801-013; and

WHEREAS, the Property is located within the City of Las Vegas Redevelopment Area (the "Redevelopment Area"), and in furtherance of the Redevelopment Plan for the Redevelopment Area, the Agency approved a Commercial Visual Improvement Program (the "Commercial VIP") for the purpose of revitalization and elimination of blighting influences in the Redevelopment Area; and

WHEREAS, Owner has rehabilitated the facades of the property facing the Facade Easement Area: The area consisting of the building face of said building, which is set back from the street and faces Bonneville Ave., to the North and Maryland Pkwy., to the East as described in *"Exhibit A – Legal Description of the Property"* and other public areas, including all exterior wall planes, window, doors, fascias, awnings, parking area, and other architectural projections.

Agency purchased a Facade Easement for the Property (hereinafter "the Facade Easement") which ensures that the building facades on the Property will be preserved in a manner consistent with the Commercial Visual Improvement Agreement and Grant of Facade Easement dated_____ _____ (the "CVIP Agreement"); and

WHEREAS, by the terms of said Facade Easement, Owner is required to enter into an agreement for a period of five (5) years giving the Agency authority to lien the Property to ensure that the facade(s) covered by the Facade Easement, legally described in Exhibit "B" attached hereto (the "Façade Easement Area"), will be diligently maintained and that violations will be corrected promptly; and

WHEREAS, this agreement is entered into to ensure that the Property is maintained because both parties recognize that diligent maintenance is an integral part of preservation of the Property and one of the considerations for Agency's purchase of the Facade Easement;

NOW, THEREFORE, IT IS AGREED BETWEEN THE PARTIES AS FOLLOWS:

1. Purpose. The purpose of this agreement is to ensure diligent maintenance of the building facades on the Property facing public streets and/or alleys, the Facade Easement Area, in accordance with the plans approved by the City of Las Vegas Office of Redevelopment Agency and any other City of Las Vegas department that may have issued approvals and/or permits as of the date of this Agreement, or as may be otherwise approved by City during the term of this Agreement. Copies of the plans for the Facade Easement Area required to be maintained under this Agreement and which are incorporated herein by this reference, are on file with the City of Redevelopment Agency, c/o Economic and Urban Development, 495 S. Main Street, Las Vegas, NV 89101.

2. Duty to Maintain Property. Owner covenants and agrees, for itself, its lessees, successors and assigns during the term of this Agreement to diligently maintain and care for the Facade Easement Area in accordance with the plans approved by Agency. "Diligent maintenance" is persistent upkeep which employs the standard of care necessary to meet all requirements of applicable local ordinances and regulations and standards of workmanship in accordance with the generally accepted standards for maintenance observed by comparable uses located within the City of Las Vegas. In particular, Owner covenants that:

    a) All exterior building facades shall be maintained, repaired, or used in accordance with the City of Las Vegas Building Code and the plans approved by, any and all, appropriate City of Las Vegas department(s) as of the date of this Agreement, or as may be otherwise approved by Agency during the term of this Agreement.

    b) The exterior of the buildings and structures shall have effective weatherproofing and waterproofing, including non-deteriorated paint, uncracked or unbroken plaster, sound siding, sealing of doors and windows and adequate and approved roof covering.

c) All exterior doors, door hardware, handles, locksets and latchets shall be in safe and operable condition, free of cracks, splits, holes, inadequate fastening and warpage.

d) All windows shall be secure, well-sealed, unbroken, and with undamaged frames. No window bars, grills or grates of any kind shall be installed without the express approval of the City of Las Vegas Department of Building and Safety.

e) All exterior lighting, including but not limited to security, carport, stairway or balcony, and building lighting, must be operable at all times as required by the City of Las Vegas Building Code.

3. Agency's Right to Cure Owner's Default. Owner shall be in default of this Agreement if Owner breaches any of the Owner's obligations under Paragraph 2 above, and the breach is not cured within thirty (30) days (or such longer period as may be specified in the Notice of Breach) after the Agency gives notice ("Notice of Breach") to the Owner of the failure to perform, which Notice of Breach shall specify in reasonable detail the conditions constituting the breach. The Agency's Executive Director ("Director") (or, if that position no longer exists, an Agency official with comparable duties) or the Director's designee may impose conditions on any extension of time to cure the breach, which conditions may include but are not limited to (i) requiring Owner to post a cash deposit or surety bond in the amount of the estimated cost of curing the breach or default, and (ii) requiring that Owner commence curing the breach or default by a specified date and thereafter diligently and in good faith continue to cure the breach until completion of the cure.

In the event of default, in addition to any other remedies available to Agency at law or in equity, Agency in its sole and absolute discretion may enter the Property and cure the default at Owner's cost at any time after giving not less than thirty (30) days' notice ("Notice of Default") to Owner, which Notice of Default shall state the Agency's intent to enter the Property and shall specify in reasonable detail the work or correction the Agency intends to perform.

4. Hold Harmless. Owner shall waive any and all claims for damage or loss as a result of Agency's entry onto the Property. Owner shall defend, indemnify and hold harmless Agency, its employees, officers, agents and contractors from and against any and all liability, loss, expense, including reasonable attorney's fees or claims for injury or damage caused by or as a result of the Agency, its employees, officers, agents or contractors entry onto the Property. Notwithstanding the foregoing, the above waiver and indemnity shall not apply with respect to any negligent acts or omissions or willful misconduct by the Agency, its employees, officers, agents and/or contractors.

5. Agency's Cost of Cure. If Agency, acting through its own employees or through its contractors, enters the Property and cures the breach or default, Agency shall perform the work in a reasonably efficient, cost effective and competitively priced manner. The cost of curing the default shall be due and payable within ten (10) days after delivery of an invoice to Owner, and if paid at a later date shall bear interest at the rate of 10% per annum from the

date of the invoice until Agency is reimbursed by Owner. Any warranties provided by Agency's contractors shall be assigned to Owner upon Owner's payment in full of the amounts due hereunder.

6. Additional Remedies. The Agency, in addition to the collection procedure set forth above in paragraph 4, may make the cost incurred in maintaining the Property a lien upon the Property by recording a notice with the Clark County Recorder. The lien may also include any and all costs incurred in recording the lien. The notice shall state that the Agency has incurred maintenance costs under the terms of this agreement and shall state the amount, together with a statement that it is unpaid. Such lien shall be immediately released upon Owner's payment of said costs.

7. Notices. Notices required or permitted to be given under the terms of this agreement shall be served personally, or by certified mail, return receipt requested, or by overnight courier, addressed as follows:

AGENCY: CITY OF LAS VEGAS REDEVELOPMENT AGENCY
c/o Economic And Urban Development
495 S. Main Street, 6th Floor
Las Vegas, NV 89101
Attn: Operations Officer

OWNER: Ten15 Huntridge, LLC
Attn.: J Dapper
985 White Drive, #100
Las Vegas, Nevada 89119

and, in the event that Owner hereafter conveys Property, to each successive Owner as shown on the tax rolls for Clark County.

8. Property Owner. If Owner conveys, grants or transfers the Property or a portion thereof to another, such grantee or transferee shall be responsible for complying with the terms and conditions of this agreement as to the Property or as to that portion thereof so conveyed and Owner shall have no further obligation hereunder as to said Property or that portion thereof. If Owner leases the Property or any portion thereof to another, the lease shall provide for Owner's right of entry to perform Owner's obligations under this agreement. The lease also shall provide for Agency's right of entry to inspect the Property for compliance with this Agreement and in the event of breach to perform required maintenance in accordance with the procedure set forth in Paragraph 3. Owner shall advise the Executive Director of the Agency in writing of any changes in address of Owner and of the names and addresses of any subsequent owners of the property or any portion thereof.

9. Miscellaneous Terms and Provisions.

a) If any provision of this agreement is adjudged invalid, the remaining provisions of it are not affected.

b) Notice to Agency or Owner shall be considered to have been given when sent in the manner and to the addresses stated in Paragraph 6 above.

c) This writing contains a full, final and exclusive statement of the agreement of the parties.

d) By executing this Agreement Owner, on its behalf and on behalf of any successor in interest, authorizes and grants to Agency or to Agency's agent, permission with forty-eight (48) hours advance notice to enter upon the Property subject to this Agreement to perform inspections of the facade improvements or to perform any work authorized by this Agreement in the event of breach by Owner of any covenant set forth in Paragraphs 2 above. However, the Agency shall coordinate the time of such inspections with the Owner in order to minimize the disruption of business or inconvenience to the Owner's customers.

10. Recordation: Covenant Running With the Land for Five Years. Upon recordation of the Facade Easement Deed and execution of this Agreement by both parties, the Agency shall record this Agreement with the Clark County Recorder's Office. Agency shall provide Owner a copy of the Agreement showing the Recorder's stamp.

This Agreement pertains to that area of the Property covered by the Facade Easement, and shall run with the land for a period of five (5) years from the date of recordation, including a period of time after the expiration of the Facade Easement. This agreement binds the successors in interest of each of the parties to it.

11. Priority of Mortgage Lien. No breach of the covenants, conditions or restrictions of this Agreement shall defeat or render invalid the lien or charge or any first mortgage or deed of trust made in good faith and for value encumbering the Property, but all of said covenants, conditions and restrictions shall be binding upon and effective against any successor to the Owner whose title is derived through foreclosure or trustee's sale, or otherwise, with respect to the Property.

12. Attorneys' Fees. If any party to this Agreement resorts to a legal action to enforce any provision of this Agreement, the prevailing party shall be entitled to recover reasonable attorneys' fees in addition to any other relief to which it may be entitled. This provision applies to the entire Agreement.

13. Estoppel Certificate. Upon written request by Owner or a subsequent owner, Agency shall promptly execute and deliver an estoppel certificate, in a form reasonably approved by the Agency, addressed as indicated in the request, stating that the property is in compliance with this Agreement, or not, and stating the amount of any outstanding fees or charges.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year set forth above.

Ten15 Huntridge, LLC

By: _____ Date: _____
Name: J Dapper
Title: MANAGER

CITY OF LAS VEGAS REDEVELOPMENT AGENCY,
a public body, corporate and politic

By: _____ Date: _____
CAROLYN G. GOODMAN
CHAIR

ATTEST:

_____
LUANN D. HOLMES, MMC
Secretary

APPROVED AS TO FORM:

_____
Counsel to the Agency Date

ACKNOWLEDGMENTS

STATE OF _____)
) ss.
COUNTY OF _____)

This instrument was acknowledged before me on the ____ day of _____, 2019 by J Dapper ___ as Manager ___ of Ten15 Huntridge, LLC _____.

_____
Notary Public in and for said County and State

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

This instrument was acknowledged before me on the ____ day of _____, 2019 by CAROLYN G. GOODMAN as Chair of the City of Las Vegas Redevelopment Agency.

_____
Notary Public in and for said County and State

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

PARCEL ONE (1):

A PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 61 EAST, CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF LOT 14 IN BLOCK TWO (2) AS SHOWN BY MAP THEREOF ON FILE IN BOOK 4, PAGE 6 OF PLATS, IN THE CLARK COUNTY, NEVADA RECORDER'S OFFICE: BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT FOURTEEN (14), THENCE NORTH 62° 02' 00" WEST ALONG THE NORTH LINE OF SAID LOT FOURTEEN (14), A DISTANCE OF 45.60 FEET TO A POINT
THENCE SOUTH 27° 59' 05" WEST A DISTANCE OF 50.00 FEET TO A POINT
THENCE SOUTH 62° 02' 00" EAST A DISTANCE OF 45.50 FEET TO A POINT,
THENCE NORTH 27° 59' 05" EAST A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

PARCEL TWO (2):

A PORTION OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 61 EAST, CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF LOT FOURTEEN (14) OF MARYLAND TRACT NO. 2, AS SHOWN BY MAP THEREOF ON FIRLE IN BOOK 4 PAGE 6, OF PLATS, SAID BEING THE TRU POINT OF BEFINNING;
THENCE SOUTH 27° 59' 05" WEST A DISTANCE OF 100.00 FEET;
THENCE SOUTH 62° 02' 00" EAST A DISTANCE OF 130 FEET;
THENCE NORTH 27° 59' 05" EAST A DISTANCE OF 100 FEET;
THENCE NORTH 62° 02' 00" WEST A DISTANCE OF 130 FEET BACK TO THE POINT OF BEGINNING.

PARCEL THREE (3):

THAT PORTION OF LOT 14 IN BLOCK 2 OF MARYLAND TRACT NO. 2, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 4 OF PLATS, PAGE 6, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST EASTERLY CORNER OF SAID POPERTY LOT 14; THENCE NORTH 62° 02' WEST ALONG THE NORTH LINE OF SAID LOT 14 A DISTANCE OF 45.60 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING NORTH 62° 02' WEST 54.40 FEET;
THENCE SOUTH 27° 58' 05" WEST 50 FEET;
THENCE SOUTH 62° 02' EAST 54.40 FEET;
THENCE NORTH 27° 29' 05" EAST 50.00 FEET TO THE POINT OF BEGINNING.

EXHIBIT B

DESCRIPTION OF THE FACADE EASEMENT AREA

Facade Easement Area: The area consisting of the building face of said building, which is set back from the street and faces Bonneville Ave., to the North and Maryland Pkwy., to the East as described in *"Attachment 1 – Legal Description of the Property"* and other public areas, including all exterior wall planes, window, doors, fascias, awnings, parking area, and other architectural projections.

The Façade Easement granted herein shall terminate five (5) years from the date of execution of the recordation of this Façade Easement Deed without further action upon the City of Las Vegas Redevelopment Agency.

ATTACHMENT 5

SCOPE OF WORK AND TENTATIVE SCHEDULE OF IMPROVEMENTS

1.	**New Paint & Stucco**	**$15,100.00**
2.	**Replacement of all glazing systems**	**$42,694.00**
TOTAL ESTIMATED PROJECT COSTS		$57,794.00
Estimated CVIP Grant		**$25,000.00**

*Note – Items in bold are "Pre-approved Qualified Exterior Improvements".

Schedule of Improvements

Work will be completed within 180 days of execution of the Agreement.

ATTACHMENT "6-A "

DISCLOSURE OF PRINCIPALS – REAL PROPERTY

See Attached

VIP Disclosure of Ownership/Principals – Real Property

Full Name & Title	Business Address	Business Phone
Armenco Capital Armen Yemenidjian- member Alex Yemenidjian- member	3790 Paradise Rd. #200 Las Vegas NV 89169	702-272-1414
DPP Defined Benefit Pension Plan Ronald Schreiber- member	31103 Rancho Viejo Rd. #2 San Juan Capistrano CA 92675	949-874-1705
LDR Partners, GP Len Robinson- member	3775 S. Freeway #101 Sacramento CA 95834	916-371-4960
Lions Pride Exempt Trust Ari Ryan- member	132 E. Delaware Pl #6102 Chicago IL 60611	702-434-0031
Johnny Mora- member	2952 Brighton Creek Ct. Las Vegas NV 89135	702-210-5475
Khusrow Roohani Family Trust Khusrow Roohani- member	950 Hillwood Dr. Las Vegas NV 89134	702-823-2300
64th Floor Investments I Lance Bocarsly- member	633 W. 5th St. 64th floor Los Angeles, CA 96071	213-239-8088
Ten15 Development LLC J Dapper -manager Scott Silver- manager	985 White Dr. #100 Las Vegas NV 89119	702-733-3622

VIP DISCLOSURE OF OWNERSHIP/PRINCIPALS – **REAL PROPERTY**

Alternative Disclosure of Ownership/Principal

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this certificate in lieu of providing the information set forth on the previous page. A description of such disclosure documents must be included below.

Name of Attached Document: _____

Date of Attached Document: _____

Number of Pages: _____

Certification of Disclosure of Ownership/Principal - Real Property

I certify, under penalty of perjury, that all the information provided in this certificate is current, complete and accurate.

Signature: _____

Date: 3-12-19

State of Nevada
County of Clark

This instrument was acknowledged before me on

3/12/2019 (date) by

J. Christopher Dipper (name of person)

Laura Bueso

Notary Public
Laura Bueso
My Commission Expires:
1/18/2023

LAURA BUESO
NOTARY PUBLIC - STATE OF NEVADA
My Commission Expires: 01/18/2023
Certificate No: 19-1273-1

7

ATTACHMENT "6-B"

DISCLOSURE OF PRINCIPALS – BUSINESS

See Attached

VIP Disclosure of Ownership/Principals – Business

Full Name & Title	Business Address	Business Phone
Armenco Capital Armen Yemenidjian- member Alex Yemenidjian- member	3790 Paradise Rd. #200 Las Vegas NV 89169	702-272-1414
DPP Defined Benefit Pension Plan Ronald Schreiber- member	31103 Rancho Viejo Rd. #2 San Juan Capistrano CA 92675	949-874-1705
LDR Partners, GP Len Robinson- member	3775 S. Freeway #101 Sacramento CA 95834	916-371-4960
Lions Pride Exempt Trust Ari Ryan- member	132 E. Delaware Pl #6102 Chicago IL 60611	702-434-0031
Johnny Mora- member	2952 Brighton Creek Ct. Las Vegas NV 89135	702-210-5475
Khusrow Roohani Family Trust Khusrow Roohani- member	950 Hillwood Dr. Las Vegas NV 89134	702-823-2300
64th Floor Investments I Lance Bocarsly- member	633 W. 5th St. 64th floor Los Angeles, CA 96071	213-239-8088
Ten15 Development LLC J Dapper -manager Scott Silver- manager	985 White Dr. #100 Las Vegas NV 89119	702-733-3622

VIP DISCLOSURE OF OWNERSHIP/PRINCIPALS – **BUSINESS**

Alternative Disclosure of Ownership/Principal

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this certificate in lieu of providing the information set forth on the previous page. A description of such disclosure documents must be included below.

Name of Attached Document: _____

Date of Attached Document: _____

Number of Pages: _____

Certification of Disclosure of Ownership/Principal - Business

I certify, under penalty of perjury, that all the information provided in this certificate is current, complete and accurate.

Signature: _____

Date: 3-12-19

State of Nevada
County of Clark

This instrument was acknowledged before me on

3/12/2019 (date) by

J Christopher Dapper (name of person)

Laura Bueso Laura Bueso 1/15/2023

Notary Public

LAURA BUESO
NOTARY PUBLIC • STATE OF NEVADA
My Commission Expires: 01/15/2023
Certificate No: 19-1273-1

ATTACHMENT " 7 "

PARTICIPANT AFFIDAVIT & EMPLOYMENT PLAN

See Attached

VIP PARTICIPANT AFFIDAVIT & BUSINESS PLAN

STATE OF NEVADA }
} ss:
COUNTY OF CLARK }

I, J Dapper, being first duly sworn, depose and state under penalty of perjury as follows:

1. I am a corporate officer, managing member, or sole proprietor of the Ten15 Huntridge, LLC, a company duly organized in the State of Nevada as a Limited Liability Company, (Corporation/LLC/Sole Proprietorship). The Participant is seeking the assistance of the city of Las Vegas Redevelopment Agency ("Agency") for making improvements to the property at 1118 Bonneville Ave., LV, NV 89118 ("Site"), as more particularly described by the VIP agreement ("Agreement") being contemplated by the city of Las Vegas Redevelopment Agency.
2. I hereby warrant that I either own the site, or have a leasehold interest in the site for a minimum of five years subsequent to the effective date of this agreement.

   Assistance from the Agency will allow me to make improvements to the site which I could not otherwise do. This will result in substantial benefit to the Redevelopment Plan Area and the neighborhood adjacent to the Site because of one or more of the following reasons (check one or more):

   a. Encourage the creation of new business or other appropriate development; ☒
   b. Create jobs or other business opportunities for nearby residents; ☐
   c. Increase local revenues from desirable sources; ☐
   d. Increase levels of human activity in the redevelopment area or the immediate neighborhood in which the redevelopment area is located; ☒
   e. Possess attributes that are unique, either as to type of use or level of quality and design; ☐
   f. Require for their construction, installation or operation the use of qualified and trained labor; ☐ and
   g. Demonstrate greater social or financial benefits to the community than would a similar set of buildings, facilities, structures or other improvements not paid for by the agency. ☐
3. No other reasonable means of financing those buildings, facilities, structures or other improvements are available, because of one or more of the following reason(s) as checked by the Participant:

   a. An inducement for new businesses to locate, or existing businesses to remain within, the redevelopment area in which the business would ordinarily choose to locate outside the redevelopment area if the grant were not provided. Evidenced by a "but for" letter or statement from the business owner; ☐ or
   b. There is a public objective and/or requirement that is more stringent and/or costly to undertake than a business would ordinarily embark upon. Evidenced by state or city ordinance; ☐ or
   c. There has been a lack of rehabilitation in the area and it is deemed unreasonable for the business to invest in improving the area unless the grant is provided. Evidenced by photographs of the immediate surrounding area displaying the slum and blight; ☒ or
   d. The exterior improvements to the property or business do not have a direct effect on revenues therefore, making such an investment is not deemed acceptable by a customary financial institution. Evidenced by a denial letter from a financial institution. ☐ or

VIP PARTICIPANT AFFIDAVIT & BUSINESS PLAN

Participant agrees to submit to the Agency its documentation which evidences that no reasonable means of financing are available to the Participant.

4. Participant hereby warrants the following:
   a. The property on which the project is situated is free of all Mechanic's Liens at the time of application. _____(Initial)
   b. The applicant has no current bankruptcy proceedings, or past bankruptcy proceedings, whether corporate or personal, within the past five years. _____(Initial)
   c. The applicant has no past-due federal, state, county or city of Las Vegas tax bills at the time of application. _____(Initial)
   d. The applicant has no past-due bills or debts payable to the city of Las Vegas or the Redevelopment Agency. _____(Initial)
5. Participant hereby acknowledges that existing opportunities for employment within the surrounding neighborhood of the redevelopment project are limited for neighborhood residents. Most residents must travel outside the neighborhood to find employment opportunities outside the redevelopment area, via public transportation or personal vehicles. Of the existing businesses within the neighborhood, many are family- owned and have been in business for a long time. These existing businesses are not in an expansion mode and are not likely to employ neighborhood residents.

   Furthermore, the project will help facilitate the continued expansion of employment opportunities by setting an example to other property/business owners to renovate their property/business and help create more employment opportunities through an expansion of business and renovation of vacant storefronts. The Project will allow neighborhood residents to apply for those positions (when available) for which they are qualified for as an employment opportunity. Appropriate measures will be taken to ensure that the neighborhood is aware of any job opportunities available from the business.

DATED this 12th day of March 2019.

Authorized Signature: _____

SIGNED AND SWORN TO before me

this 12 day of March, 2019, by J. Christopher Depper

NOTARY PUBLIC
My Commission Expires: 1/15/2023

LAURA BUESO
NOTARY PUBLIC - STATE OF NEVADA
My Commission Expires: 01/15/2023
Certificate No: 19-1273-1

ATTACHMENT "8"

VIP REAL PROPERTY OWNER CONSENT

See Attached

VIP PARTICIPANT **REAL PROPERTY OWNER CONSENT**

STATE OF NEVADA }
} ss:
COUNTY OF CLARK }

I, J Dapper, owner and/or authorized representative of APN# 139-34-480-013 also commonly known as 1118 E. Bonneville Ave., LV, NV 89118, hereby consent to the proposed exterior improvements on the above-listed property and consent to the participation in the Visual Improvement Program, which are to be undertaken by Dapper Building Company, the tenant and/or business owner.

I also, hereby agree to and understand that in conjunction with participation in the Visual Improvement Program, the city of Las Vegas will record a non-exclusive façade easement and building maintenance agreement to the above-listed property, at the completion of the pre-qualified improvements. The documents will be recorded in the Office of the County Recorder of Clark County, Nevada Records for a period of five years. The property owner and/or business owner will have the option to repurchase the façade easement and building maintenance agreement from the Agency during the five-year period.

DATED this 4th day of April, 2019.

Authorized Signature: _____

SIGNED AND SWORN TO before me

this 4th day of April, 2019, by J Dapper.

NOTARY PUBLIC
My Commission Expires: 10/31/20

VIRGINIA G. SHELTON
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 10-31-20
Certificate No: 04-92987-1

Virginia G. Shelton

BUSINESS LICENSE

City of Las Vegas | Las Vegas, Nevada

IN ACCORDANCE WITH THE PROVISIONS OF THE LAS VEGAS MUNICIPAL CODE, AS AMENDED, LICENSE IS HEREBY GRANTED TO OPERATE THE BUSINESS REFERENCED BELOW.

LICENSE #: G65-04655 **RENEWAL DATE:** 01/01/2019

EXPIRATION DATE: 07/01/2019

TYPE OF LICENSE: C26 - BUSINESS SPACE RENT OR LEASE
COMMERCIAL LEASING

BUSINESS LOCATION: 1100 E CHARLESTON BLVD

ISSUED TO:

TEN16 HUNTRIDGE LLC
985 WHITE DRIVE STE 100
LAS VEGAS, NV 89119

Deputy Director, Planning Department

Failure to maintain an active state license or SNHD health permit, if required, renders this business license invalid.

Post in a conspicuous place.

FM-0152-02-18
Form 167

Public Purpose/Impact Analysis Report
NRS 279.486

City Council/Redevelopment Agency Meeting
July 17, 2019

Title of Project: Commercial Visual Improvement Program

Sponsor/Developer: Ten15 Huntridge, LLC

Address of Project: 1118 E. Bonneville Ave., Las Vegas, NV 89101

Per NRS 279.486 2(a) attach a copy of any contract, memorandum of understanding or other agreement between the agency or the legislative body and any other person relating to the redevelopment project to this report.

Please refer to RDA Resolution as Exhibit A for copy of agreement: CITY OF LAS VEGAS - COMMERCIAL VISUAL IMPROVEMENT AND GRANT OF FAÇADE EASEMENT

Per NRS 279.486 2(b) (1) (I) List the costs of the redevelopment project, including, without limitation, the costs of acquiring any real property, clearance costs, relocation costs, the costs of any improvements which will be paid by the Redevelopment Agency and the amount of the anticipated interest on any bonds issued or sold to finance the project.

N/A

Per NRS 279.486 2(b) (1) (II) What is the estimated current value of the real property interest to be conveyed or leased, determined at its highest and best use permitted under the redevelopment plan?

N/A

Per NRS 279.486 2(b) (1) (III) what is the estimated value of the real property interest to be conveyed or leased, determined at the use and with the conditions, covenants and restrictions, and development costs required by the sale or lease, and the current purchase price or present value of the lease payments which the lessee is required to make during the term of the lease? If the sale price or present value of the total rental amount to be paid to the agency or legislative body is less than the fair market value of the real property interest to be conveyed or leased, determined at the highest and best use permitted under the redevelopment plan, the agency shall provide an explanation of the reason for the difference.

N/A

Per NRS 279.486 2(b) (2) How Does the Redevelopment Project Benefit the Public and Eliminate Blight:

Major upgrades to be made to formerly boarded-up offices to be occupied by a new enterprise. Improvements will be made to the building's façade, windows, storefronts, lighting, signage and ADA compliance upgrades.

What is the amount of Private Investment and who is providing it?

Approximately $219,451 – Ten15 Huntridge, LLC - Owner equity

What is the amount of Public Investment and who is providing it?

Not to Exceed $25,000 by the City of Las Vegas Redevelopment Agency

How many Direct Jobs will be Created? 12 Full Time Equivalent

How many Indirect Jobs will be Created? 50 construction jobs

How many Direct Jobs will be Retained? N/A

Quantitative Economic Benefits:

$219,415 of labor and material will be expended in the Redevelopment Area during renovations.

Total Direct Economic Impact:

$57,794 in exterior renovations and $161,657 in interior renovations.

Total Indirect Economic Impact:

N/A

Economic Impact Study Performed:	Yes ☐	No ☒
Return on Investment Analysis Performed:	Yes ☐	No ☒

SITE MAP

1118 E. Bonneville Ave., Las Vegas, NV 89101

Ten15 Huntridge, LLC



AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
51

DEPARTMENT: City Manager **DISCUSSION**
DIRECTOR: Scott Adams

SUBJECT:
ADMINISTRATIVE:

Report from Scott D. Adams, City Manager, on Emerging Issues - All Wards

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
The City Manager (CM) Report will be a vehicle for the City Manager to update the Council on emerging issues that may have an impact on the City of Las Vegas. The CM Report will be a recurring item for every Council meeting. If there are no items for the particular meeting, the City Manager will recommend that the item be stricken.

RECOMMENDATION:
Report only, no action required.

BACKUP DOCUMENTATION:
None

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
52

DEPARTMENT: Community Services **DISCUSSION**
DIRECTOR: Kathi Thomas-Gibson

SUBJECT:
Discussion for possible action regarding the Neighborhood Partners Fund (NPF) Board recommendations to allocate $67,487.47 for 17 neighborhood projects (General Fund) - All Wards

FISCAL IMPACT:
Budget Funds Available
Amount: $67,487.47
Funding Source: General Fund
Dept./Division: Office of Community Services

PURPOSE/BACKGROUND:
The Neighborhood Partners Fund (NPF) Program was designed to encourage neighborhoods to take an active role in improving the quality of life in city of Las Vegas neighborhoods by enhancing the physical, public safety, cultural, recreational or educational conditions of a neighborhood. The program grants up to $5,000 to registered neighborhood groups (neighborhood associations and HOA's). This year's NPF project allocation of $67,487.47 will leverage a community match of $114,253 in volunteer labor, in-kind donations of goods and services and/or financial contributions.

RECOMMENDATION:
The Neighborhood Partners Fund Board recommends that the City Council approve the funding for 17 neighborhood projects totaling $67,457.47 and authorizes the Director of the Office of Community Services to execute the agreements upon approval as to form by the City Attorney.

BACKUP DOCUMENTATION:
1. NPF Board Recommendations
2. Submitted at Meeting – PowerPoint Presentation and Agenda Summary Page with Supporting Documentation

NPF BOARD RECOMMENDATIONS

	Association Name	Ward	Request Amount	Awarded	Match
1.	**Arville-Oakey Neighborhood Watch Association** Meet & Greet Gathering	1	$1,000	$1,000	$1,715
2.	**Aurora TOPP N.A.** Neighborhood Signs	1	$5,000	$5,000	$5,208
3.	**Buffalo Coalition N.A.** Community Signs	1	$5,000	$5,000	$6,330
4.	**El Camino Community Association** Provident Community Garden - Community Garden Bed Construction	1	$2850	$2850	$3,332
5.	**James Down Towers Resident Council** Water Filtration System and Birthday Celebrations	1	$5,000	$5,000	$5,292
6.	**Las Vegas Meadows LTD** Resident Community Extravaganza and Security Lighting	1	$5,000	$3,810	$8,585
7.	**McNeil Estates N.A.** 11th Annual McNeil Estates Neighborhood Association Block Party	1	$3,000	$3,000	$18,460
8.	**Palomino Gardens HOA** Palomino Gardens Homeowners Association Neighborhood Street Light Project	1	$5,000	$5,000	$5,924
9.	**Rainbow Family Park N.A.** Halloween Trunk or Treat Event	1	$4,425	$4,425	$4,998
10.	**Spanish Oaks HOA** Spanish Oaks Community Building Project	1	$4,300	$4,300	$11,204
11.	**Beverly Green N.A.** Beverly Green Dog Bag Clean Up	3	$4,900	$4,900	$5,074
12.	**Huntridge Park N.A.** "Huntridge has heART."	3	$1,380	$1,380	$5,121
13.	**Desert Shores Community Association** Winter Wonderland Community Gathering	4	$5,000	$5,000	$13,592

14.	**Desert Shores Racquet Club, HOA** Desert Shores Racquet Club Technology/Security project	4	$5,000	$4,753	$4,910
15.	**Turning Point Community Association** Happy Birthday, Turning Point!	4	$5,000	$4,070	$1,988
16.	**Cultural Corridor Coalition** Cultural Corridor Graffiti and Neighborhood Cleanup	5	$2,999.47	$2,999.47	$4,565
17.	**Mannetta Lane HOA** Mannetta Lane Community Beautification and Safety Effort	5	$5,000	$5,000	$7,955
	TOTAL		**$69,854.47**	**$67,487.47**	**$114,253**

Neighborhood Partners Fund Program



FY 2019-2020

CITY OF LAS VEGAS
COMMUNITY SERVICES

Submitted At Meeting
Date 7/17/19 Item 52

Neighborhood Partners Fund

- The Neighborhood Partners Fund (NPF) Program encourages neighborhoods to take an active role in their neighborhoods by addressing one or more of the following:
  - Physical Improvements
  - Public Safety
  - Cultural
  - Recreational or
  - Educational Programing/Tutoring



Neighborhood Partners Fund

- The program grants up to $5,000 to registered neighborhood groups (Neighborhood Associations and HOA's).
- The funds must be matched by the neighborhood through:
  - Cash
  - Volunteer labor
  - Donated supplies/equipment
  - Professional services (pro-bono)



Neighborhood Partners Fund



- Over the past **20** years, more than **$4.0 million** has been invested into City Neighborhoods.
  - **$1.3 million** in city investment
  - **$3.3 million** community investment through volunteer labor, business sponsorships and in kind donations.

Neighborhood Partners Fund



- This year, the NPF Board is recommending **17** neighborhood projects for a total allocation of **$67,487.47** with a total match of **$116,889**.

Neighborhood Partners Fund



NPF Board

- NPF Board consists of 13 members appointed by the Mayor and Council.
- NPF Board members review and evaluate projects, then propose the final funding recommendations for the City Council.

Neighborhood Partners Fund



FY 2019-20 NPF Board

- Greg Toussaint, Chair
- Jordan Sandecki, Vice Chair

Neighborhood Partners Fund
BOARD MEMBERS



Mayor Goodman	→	Greg Toussaint, Chair
Ward 1	→	Shelly Walters
		Anne Kilponen
Ward 4	→	Gail Qualey
		Sally Christensen
Ward 3	→	Esthela Silva
		Ydoleena Yturralde
Ward 2	→	Sherese Holmes
		Jordan Sandecki, Co-Chair
Ward 6	→	Larry Schultz
		Chance Bonaventura
Ward 5	→	David Kress
		Tanya Jackson-Renter

Neighborhood Partners Fund



NPF Board members recommend 17 NPF projects for FY 2019-2020:

- One (1) landscaping improvement project
- Two (2) security safety projects
- One (1) community garden project

Neighborhood Partners Fund



NPF Board Recommendations (continued):

- One (1) beautification project
- Two (2) mural projects
- Seven (7) social gatherings

Neighborhood Partners Fund



NPF Board Recommendations (continued):

- One (1) dog bag cleanup project
- Two (2) street signage projects

Neighborhood Partners Fund RECOMMENDATIONS



Association / Project Title	Ward	Request Amount	Award	Match
Arville-Oakey Neighborhood Watch Association *Meet and Greet Gathering*	*1*	$1,000	$1,000	$1,715
Aurora TOPP N.A. *Neighborhood Signs*	*1*	*$5,000*	*$5,000*	*$5,208*
Buffalo Coalition N.A. *Community Signs*	*1*	*$5,000*	*$5,000*	*$6,330*
El Camino Community Association *Provident Community Garden - Community Garden Bed Construction*	*1*	*$2,850*	*$2,850*	*$3,332*

Neighborhood Partners Fund RECOMMENDATIONS



Association / Project Title	Ward	Request Amount	Award	Match
James Down Towers Resident Council *Water Filtration System and Birthday Celebrations*	*1*	*$5,000*	*$5,000*	*$5,292*
Las Vegas Meadows LTD *Resident Community Extravaganza and Security Lighting*	*1*	*$5,000*	*$3,810*	*$8,585*
McNeil Estates N.A. *11th Annual McNeil Estates N.A. Block Party*	*1*	*$3,000*	*$3,000*	*$18,460*

Neighborhood Partners Fund RECOMMENDATIONS



Association / Project Title	Ward	Request Amount	Award	Match
Palomino Gardens HOA *Neighborhood Street Light Project*	1	$5,000	$5,000	$5,924
Rainbow Family Park N.A. *Halloween Trunk or Treat Event*	1	$4,425	$4,425	$4,998
Spanish Oaks HOA *Spanish Oaks Community Building Project*	1	$4,300	$4,300	$11,204

Neighborhood Partners Fund RECOMMENDATIONS



Association / Project Title	Ward	Request Amount	Award	Match
Beverly Green N.A. *Beverly Green Dog Bag Clean Up*	3	$4,900	$4,900	$5,074
Huntridge Park N.A. *"Huntridge has heART"*	3	$1,380	$1,380	$5,121
Desert Shores Community Association *Winter Wonderland Community Gathering*	4	$5,000	$5,000	$13,592

Neighborhood Partners Fund RECOMMENDATIONS



Association / Project Title	Ward	Request Amount	Award	Match
Desert Shores Racquet Club, HOA *Desert Shores Racquet Club Technology/Security project*	4	$5,000	$4,753	$4,910
Turning Point Community Association *Happy Birthday, Turning Point!*	4	$5,000	$4,070	$4,624
Cultural Corridor Coalition *Cultural Corridor Graffiti and Neighborhood Cleanup*	5	$2,999.47	$2,999.47	$4,565

Neighborhood Partners Fund RECOMMENDATIONS



Association / Project Title	Ward	Request Amount	Award	Match
Mannetta Lane HOA Mannetta Lane Community Beautification and Safety Effort	*5*	*$5,000*	*$5,000*	*$7,955*
TOTAL		**$69,854.47**	**$67,487.47**	**$116,889**

Neighborhood Partners Fund



- **ACKNOWLEDGEMENTS.....**
  - Mayor and City Council
  - Office of Community Services
    - Kathi Thomas Gibson, Director
    - Alma Estrada, Community Program Technician

Neighborhood Partners Fund



For more information on the Neighborhood Partner's Fund Program:

- Check the city's website at ***www.lasvegasnevada.gov***
- Email Alma Estrada at ***aestrada@lasvegasnevada.gov*** or call her at **(702) 229-2330**
- The next NPF recruitment cycle begins ***February 2020***

Neighborhood Partners Fund Program

QUESTIONS



CITY OF LAS VEGAS
COMMUNITY SERVICES

City of Las Vegas

Agenda Item No.: 52

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JULY 17, 2019

DEPARTMENT: OFFICE OF COMMUNITY RESOURCES
DIRECTOR: KATHI THOMAS-GIBSON [ ] CONSENT [X] DISCUSSION

SUBJECT:
Discussion for possible action regarding the Neighborhood Partners Fund (NPF) Board recommendations to allocate $67,487.47 (General Fund) for 17 neighborhood projects - All Wards

Fiscal Impact

[ ]	**No Impact**	**Amount:** $67,487.47
[X]	**Budget Funds Available**	**Dept./Division:** Office of Community Services
[ ]	**Augmentation Required**	**Funding Source:** General Fund

PURPOSE/BACKGROUND:
The Neighborhood Partners Fund (NPF) Program was designed to encourage neighborhoods to take an active role in improving the quality of life in city of Las Vegas neighborhoods by enhancing the physical, public safety, cultural, recreational or educational conditions of a neighborhood. The program grants up to $5,000 to registered neighborhood groups (neighborhood associations and HOA's). This year's NPF project allocation of $67,487.47 will leverage a community match of $116,889 in volunteer labor, in-kind donations of goods and services and/or financial contributions.

RECOMMENDATION:
The Neighborhood Partners Fund Board recommends that the City Council approve the funding for 17 neighborhood projects totaling $67,487.47 and authorizes the Director of the Office of Community Services to execute the agreements upon approval as to form by the City Attorney.

BACKUP DOCUMENTATION:
Agenda Memo

Submitted at City Council
Date 7/17/19 Item 52
By: STM

NPF BOARD RECOMMENDATIONS

	Association Name	Ward	Request Amount	Awarded	Match
1.	**Arville-Oakey Neighborhood Watch Association** Meet & Greet Gathering	1	$1,000	$1,000	$1,715
2.	**Aurora TOPP N.A.** Neighborhood Signs	1	$5,000	$5,000	$5,208
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17.	**Mannetta Lane HOA** Mannetta Lane Community Beautification and Safety Effort	5	$5,000	$5,000	$7,955
	TOTAL		**$69,854.47**	**$67,487.47**	**$116,889**

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
53

DEPARTMENT: Planning **DISCUSSION**

DIRECTOR: Robert Summerfield

SUBJECT:
Discussion for possible action regarding a request for a Massage Establishment License for YAN TANG, HONGFONG WU-LIU dba SAM'S SPA at 6340 West Charleston Boulevard, Suite #130 - Ward 1 (Knudsen)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
Discussion for possible action regarding a request for a Massage Establishment License.

RECOMMENDATION:
Recommendation to be provided following the discussion of this item at the City Council meeting.

BACKUP DOCUMENTATION:
1. Ownership
2. Location Map

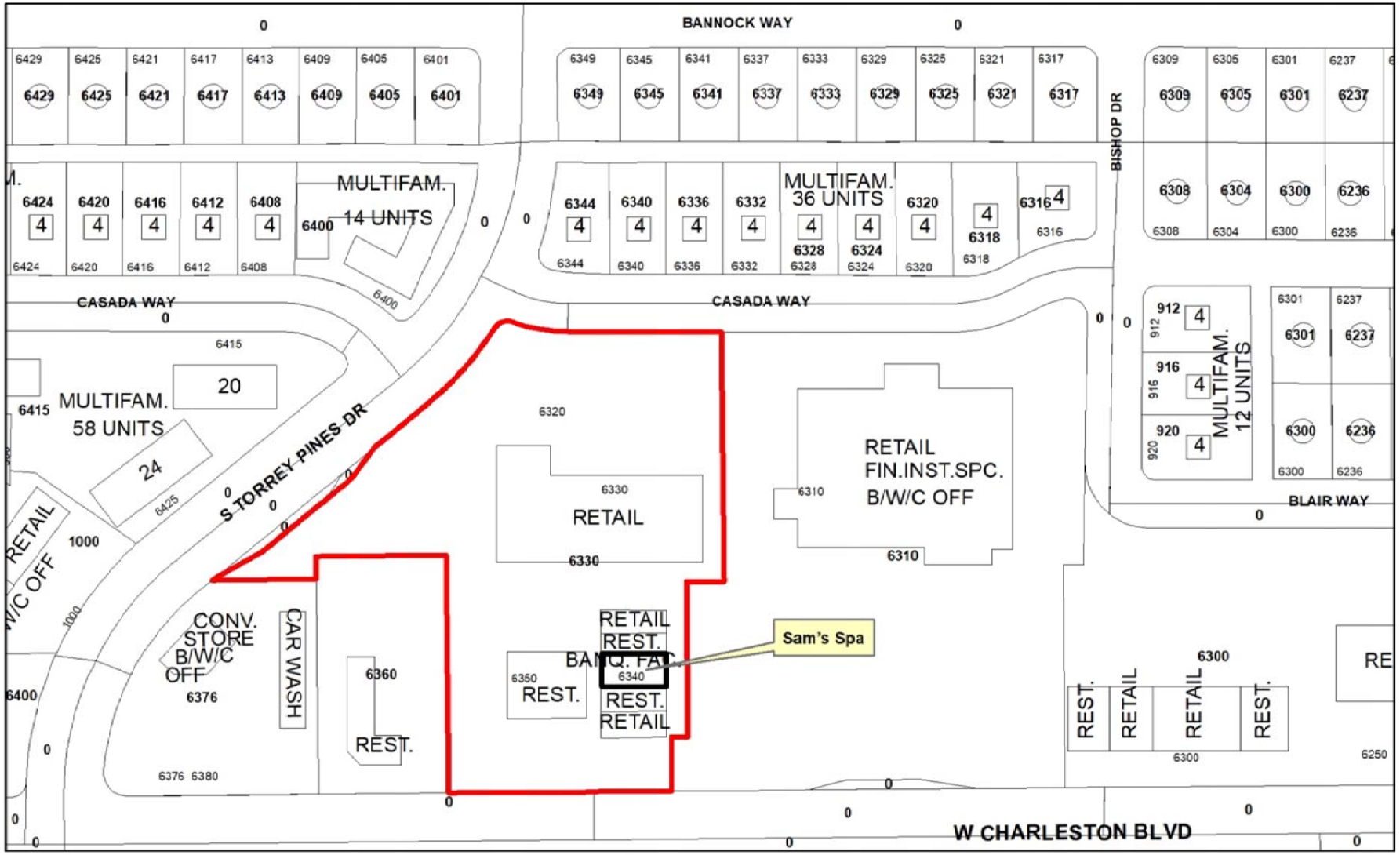
City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: Discussion for possible action regarding a request for a Massage Establishment License for YAN TANG, HONGFONG WU-LIU dba SAM'S SPA at 6340 West Charleston Boulevard, Suite #130 - Ward 1 (Knudsen)

OWNERSHIP:

YAN TANG, HONGFONG WU LIU
Yan Tang, Owner
HongFong Wu-Liu, Owner



Sam's Spa
6340 West Charleston Boulevard, Suite #130
Ward 1

Freeways
Subject Property
City Limits
Site Location

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Wednesday, June 19, 2019

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
54

DEPARTMENT: City Attorney **DISCUSSION**
DIRECTOR: Brad Jerbic

SUBJECT:
RESOLUTIONS:

R-32-2019 - Public hearing and discussion for possible action regarding a Resolution establishing an environmental surcharge pertaining to the collection of solid waste and residential recyclables

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
This resolution establishes an environmental surcharge pertaining to the collection of solid waste and residential recyclables. The surcharge would be in the amount of 5%, to commence in October 2019. The surcharge would be a pass-through item to be paid by franchisee customers as part of their monthly bill. The proceeds would be used by the City to fund environmental programs.

RECOMMENDATION:
It is recommended that the City Council conduct a hearing for purposes of receiving public input and, if deemed appropriate, adopt the resolution.

BACKUP DOCUMENTATION:
1. Resolution No. R-32-2019
2. Submitted at Meeting – PowerPoint Presentation

RESOLUTION ESTABLISHING AN ENVIRONMENTAL SURCHARGE PERTAINING TO THE COLLECTION OF SOLID WASTE AND RESIDENTIAL RECYCLABLES

WHEREAS, pursuant to provisions of Nevada Revised Statutes and the Las Vegas City Charter, the City has provided by ordinance a regulatory framework for the collection of solid waste and residential recyclables within the City; and

WHEREAS, pursuant to that same authority and in accordance with the City's regulatory framework, the City has provided for the collection of solid waste and residential recyclables within the City by means of franchise, and has entered into a franchise agreement with Republic Silver State Disposal, Inc. (the "Franchise Agreement") to provide those collection services; and

WHEREAS, in accordance with relevant statutory authority, the City may establish franchise fees as well as other charges related to the collection services to be provided by a franchisee; and

WHEREAS, LVMC 9.08.245 authorizes the City to establish an environmental surcharge on all billings for solid waste collection and residential recycling services rendered within the City, the proceeds of which may be used by the City for environmental programs and activities that benefit the public health, safety and welfare; and

WHEREAS, LVMC 9.08.245 provides that the environmental surcharge so established shall be collected by a franchisee and remitted to the City in accordance with that section; and

WHEREAS, LVMC 9.08.245 further provides limitations on the amount of the surcharge that may be established by the City; and

WHEREAS, LVMC 9.08.245 and 9.08.220 provide for the means by which the environmental surcharge is charged to the collection customer, collected by a franchisee, and, in connection therewith, listed as a separate line item on the franchisee's billing to each customer; and

WHEREAS, the City Council desires to establish by means of this Resolution an environmental surcharge in accordance with LVMC 9.08.245, with the proceeds thereof to be used for environmental programs and activities that benefit the public health, safety and welfare.

NOW, THEREFORE, BASED ON THE FOREGOING, BE IT RESOLVED BY THE CITY

COUNCIL OF THE CITY OF LAS VEGAS, NEVADA, AS FOLLOWS:

1. In accordance with LVMC 9.08.245, there is hereby established and imposed an environmental surcharge to be added to all billings for solid waste collection and residential recycling services rendered within the City (the "Environmental Surcharge"). The Environmental Surcharge shall be in the amount of 5% of the otherwise-applicable charges to each customer of a franchisee for the collection of solid waste and residential recyclables within the City, commencing on October 1, 2019, and continuing thereafter.

2. The Environmental Surcharge shall be collected in accordance with, and is governed by, relevant provisions of LVMC Chapter 9.08 and the Franchise Agreement. The Environmental Surcharge shall be listed as a separate line item on the franchisee's billing to each customer.

3. The proceeds of the Environmental Surcharge shall be deposited into a dedicated environmental special revenue fund which is set aside for the purposes described in this Paragraph 3. That fund is hereby created by means of this Resolution and shall be used for environmental programs and activities that benefit the public health, safety and welfare, as determined by the City.

4. This Resolution shall become effective as of the date of its adoption.

PASSED, ADOPTED, AND APPROVED this _____ day of _____, 2019.

CITY OF LAS VEGAS

BY _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM

Val Steed 7-1-19
Val Steed, Date
Deputy City Attorney

Item 54

R-32-2019

A Resolution establishing an environmental surcharge for the collection of solid waste and residential recyclables

Submitted At Meeting

Date 7/17/19 Item 54

2017 Republic Services Franchise Agreement

- 15 year agreement
- Adopted in 2017
- Single-Stream Recycling implementation complete in October 2018
- The agreement provides options for implementation of an environmental fee and optional franchise fees

LVMC 9.08.245 (A)

- Allows the City Council to impose a surcharge up to 5% of a Franchisee's gross receipts for the following:
  - Remedial action, removal or related activities at a solid waste disposal site
  - Environmentally sound solid waste collection and disposal
  - Other environmental programs and activities as may benefit the **public health, safety and welfare**

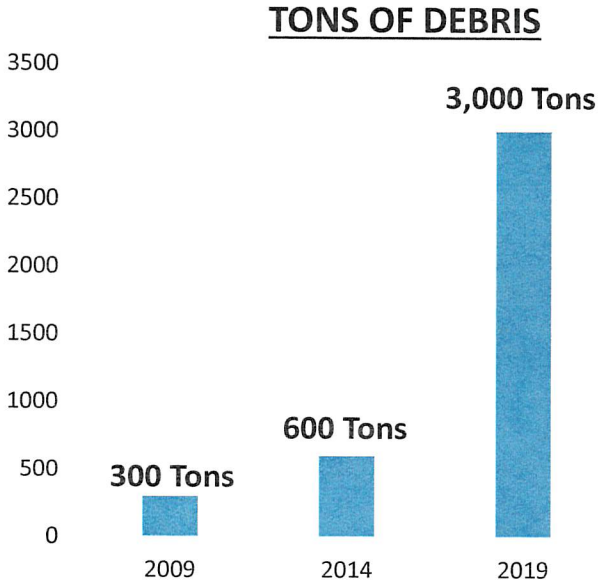
Environmental Clean-Up

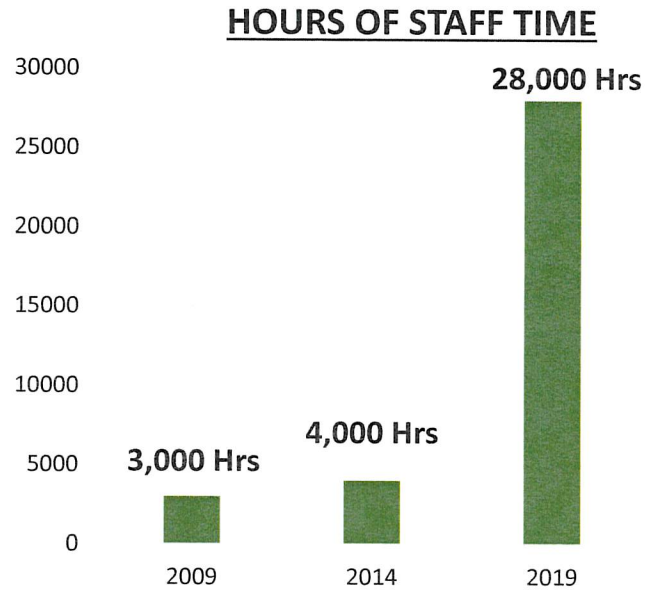
- Increasing environmental and health clean-up issues on:
  - Streets
  - Vacant lots
  - Public rights-of-way including
  - Parks
  - Storm drains
  - Trails and alleyways
- Not isolated to one particular part of the City, but a noticeable spread to a variety of areas

Impact on Neighborhoods

- Debris on streets create conflicts for pedestrians and hazards for vehicles
- Accumulation of debris on open lots and in parks create vector control issues, fire hazards and safety concerns
- Storm drain debris places our clean water, Municipal Storm Water Permit and public safety at risk
- Debris in public infrastructure poses a risk to the public's investment in flood and infrastructure improvements
- Environmental health issues impact the people using affected areas, those addressing the clean-up, and the public in general
- Health and Safety issues of encampments, accumulation of debris and dumping impact our alleys, trails, public land and the environment of adjacent neighborhoods

City Response





The increase of trash and debris in the City resulted this past year averaging the removal of around **3,000 tons** of dumped debris and the additional cost of $250,000 in materials and contractors.

New Revenue to the City of Las Vegas October 1, 2019 Implementation

- FY 2020: $3,033,138 (9 months)
- FY 2021: $4,044,185
- Special Revenue Fund for environmental programs and activities that benefit the public health safety and welfare as determined by the City

Customer Rate Impact

- Residential:
  - Quarterly increase of $2.28/quarter
  - Annual increase of $9.12/year (this year's increase is only $6.84 for 9 months of surcharge)

Clean & Safe City Programs to Consider:

- Courtyard/Corridor of Hope: sanitation; enhanced services to reduce encampments and address trash and debris
- Cleaning and abatement activities on trails, parks, streets and alleys
- Coordination with the State on problem right-of-way areas
- Private property support program to increase neighborhood livability
- Mitigation efforts to reduce debris entering the streets or public infrastructure including cleaning, collection, active intervention programs and reducing access to infrastructure
- Security upgrades to public parks and storm water infrastructure

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
55

DEPARTMENT: City Attorney **DISCUSSION**
DIRECTOR: Brad Jerbic

SUBJECT:
RESOLUTIONS:

R-33-2019 - Discussion for possible action regarding a Resolution opposing the 24/7 enforcement of high-occupancy vehicle lanes on Interstate 15 and U.S. Route 95 and supporting the return to peak-hour enforcement - All Wards

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
This Resolution, proposed by Councilman Anthony, expresses the City Council's (1) opposition to 24/7 enforcement of high-occupancy vehicle (HOV) lanes on Interstate 15 and U.S. Route 95 in the city of Las Vegas and (2) support for returning to peak-hour enforcement of HOV lanes. Because the hours for HOV-lane enforcement are set by the Nevada Department of Transportation, which is overseen by the Nevada State Transportation Board of Directors, this Resolution also requests that the Board of Directors discusses and considers such changes to the hours of HOV-lane enforcement at its next regularly scheduled meeting.

RECOMMENDATION:
It is recommended that the City Council consider this Resolution and, if approved, authorize its delivery, on behalf of the City, to the Nevada State Transportation Board of Directors.

BACKUP DOCUMENTATION:
1. Resolution No. R-33-2019

RESOLUTION OPPOSING THE 24/7 ENFORCEMENT OF HIGH-OCCUPANCY VEHICLE LANES ON INTERSTATE 15 AND U.S. ROUTE 95 AND SUPPORTING THE RETURN TO PEAK-HOUR ENFORCEMENT

WHEREAS, Project Neon, the largest public works project in Nevada history, widened Interstate 15 (I-15) between Sahara Avenue and the "Spaghetti Bowl" interchange in downtown Las Vegas, and included other transportation improvements in the city of Las Vegas and Southern Nevada; and

WHEREAS, one component of Project Neon included dedicated high-occupancy-vehicle (HOV) lanes on I-15 in both directions between Silverado Ranch Boulevard and the Spaghetti Bowl, and along U.S. Route 95 (U.S. 95) in both directions between Ann Road and the Spaghetti Bowl; and

WHEREAS, 24/7 enforcement of HOV-lane restrictions began on May 27, 2019, and violators are subject to a $250 fine plus costs and fees; and

WHEREAS, prior to May 27, 2019, HOV lanes on U.S. 95 were only enforced during weekday peak-traffic hours defined as 6:00-10:00 A.M. and 2:00-7:00 P.M.; and

WHEREAS, the priority of the Las Vegas City Council is the health, safety, and welfare of every Las Vegas resident and visitor, including drivers and travelers on roads and highways located within the city of Las Vegas; and

WHEREAS, the safety and welfare of Las Vegas residents and visitors is adversely affected by the 24/7 enforcement of HOV lanes because such enforcement unnecessarily restricts the use of a taxpayer-funded lane of travel for the benefit of all Las Vegas residents and visitors; and

WHEREAS, pursuant to NRS 484A.460, the Nevada Department of Transportation (NDOT) determines the hours of enforcement for HOV-lane restrictions; and

WHEREAS, the Nevada State Transportation Board of Directors, chaired by the Governor of Nevada, sets policy for and oversees NDOT.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS AS FOLLOWS:

1. To oppose the 24/7 enforcement of HOV lanes on I-15 and U.S. 95 in the city of Las Vegas;

2. To support the return to weekday peak-traffic-hours enforcement (6:00-10:00 A.M. and 2:00-7:00

P.M) of HOV lanes on I-15 and U.S. 95 in the city of Las Vegas; and

3. To request that the Nevada State Transportation Board of Directors discusses and considers such changes to the hours of HOV-lane enforcement at its next regularly scheduled meeting.

PASSED, ADOPTED AND APPROVED this _____ day of _____, 2019.

CITY OF LAS VEGAS

BY _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM

_____ 7/1/19
Jeff Dorocak, Date
Deputy City Attorney

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
56

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
RESOLUTIONS:

R-34-2019 - Discussion for possible action regarding a Resolution adopting the Downtown Las Vegas Open Space and Trails Plan - Wards 1, 3 and 5 (Knudsen, Diaz and Crear)

FISCAL IMPACT:
No impact

PURPOSE/BACKGROUND:
This resolution will formally adopt the Downtown Las Vegas Open Space and Trails Plan, which provides a strategic approach to establishing new opportunities for open space, trails, and amenities that link and help maximize the city's existing downtown open space and recreational facilities. The plan is a response to direction provided in the Vision 2045 Downtown Las Vegas Master Plan to create a "greener downtown" by calling for additional parks, plazas, and urban trails.

RECOMMENDATION:
Staff recommends the adoption of this Resolution and authorize its execution on behalf of the City.

BACKUP DOCUMENTATION:
1. Resolution No. R-34-2019
2. Downtown Open Space and Trails Master Plan
3. Submitted at Meeting – PowerPoint Presentation

R- 34 - 2019

RESOLUTION ADOPTING THE DOWNTOWN LAS VEGAS OPEN SPACE AND TRAILS MASTER PLAN

WHEREAS, the Vision 2045 Downtown Las Vegas Master Plan, adopted by the City Council on June 15, 2016 (R-25-2016), established a community vision for Downtown Las Vegas that calls for a "Greener Downtown" with more parks, plazas, open spaces, and urban trails; and

WHEREAS, Downtown Las Vegas has less than 40 acres of parks and open space as of 2018, with existing parks poorly connected to neighborhoods, recreational needs limited, real and perceived safety issues exist, a cohesive trail system is lacking, and that there are limited opportunities to acquire affordable and available land for new open space developments; and

WHEREAS, the geography and built environment of Downtown Las Vegas lends itself to the development of sustainable modes of alternative transportation through the completion of accessible and well-connected sidewalks, trails, and bike lanes; and

WHEREAS, there is an identified need to create more high quality parks and green streets and to provide safe, comfortable public spaces to serve both Downtown's current and future residents, as well as visitors; and

WHEREAS, the Downtown Open Space and Trails Plan's Stakeholder and Technical Advisory Committees and supporting community outreach efforts informed city staff that there is wide support from Downtown stakeholders, including residents, community groups, small businesses, and developers to increase the amount of parks and open space in Downtown Las Vegas and achieve greater connectivity between Downtown's districts; and

WHEREAS, the Downtown Open Space and Trails Master Plan contains prioritization, programming, design, maintenance, and management recommendations that will aid in the implementation of the Las Vegas Municipal Code Title 19.09 Form-Based Code and the Vision 2045 Downtown Las Vegas Master Plan and the achievement of its goals and vision.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS AS FOLLOWS:

1. To adopt the Downtown Las Vegas Open Space and Trails Master Plan attached to this resolution to guide open space and trails development in an effort to achieve the overarching goals of the plan and to further implement the Downtown Las Vegas Vision 2045 Master Plan.

...

2. To direct the Department of Planning to consider this plan in their update of a new citywide master plan required by NRS Chapter 278, Las Vegas Municipal Code Title 19, the City's annual capital improvement plan, and other plans, codes, and regulations, and to further propose revisions and recommendations that implement the goals of the plan where appropriate. The Planning Department shall consider the plan's desired recommendations and actions that would need to be taken by the City Council, other agencies, or other City departments to implement the steps taken or planned.

PASSED, ADOPTED AND APPROVED this ____ day of _____, 2019

CITY OF LAS VEGAS

BY: _____

CAROLYN G. GOODMAN, Mayor

ATTEST:

BY: _____

LUANN D. HOLMES, MMC

City Clerk

APPROVED AS TO FORM

Val Steed 3-5-19

VAL STEED, Deputy City Attorney Date

DOWNTOWN LAS VEGAS OPEN SPACE & TRAILS

MASTER PLAN

FINAL REPORT - JULY 2019



DESIGNWORKSHOP

ACKNOWLEDGMENTS

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Lois Tarkanian, Mayor Pro-Tem

Steven Seroka, Councilman

Bob Coffin, Councilman

Stavros Anthony, Councilman

Cedric Crear, Councilman

Michele Fiore, Councilwoman

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APPENDIX

Park Site Improvement Opportunities

EXECUTIVE SUMMARY

GREENER DOWNTOWN

One of the big ideas out of the Vision 2045 Downtown Las Vegas Master Plan was to create a Greener Downtown by calling for an additional 24 acres of new parks and plazas, as well as 30 miles of new urban trails. As of 2017, only 1.3% of the downtown area is considered open space (about 38.4 acres). The successful integration of these new open spaces and trails into the downtown open space network, require an understanding of what the opportunities and challenges are in each area. We heard from the community and stakeholders about the lack in number and quality of open space and trails downtown and with their help drafted this plan.

OVERARCHING GOALS AND PRIORITIES

The purpose of the Downtown Open Space and Trails Plan ("Plan") is to maintain and build on the momentum within the downtown area generated by 2016's adoption of the Vision 2045 Downtown Las Vegas Master Plan. The Plan provides a strategic approach to establishing new opportunities for open space, trails and amenities that link and help maximize the city's existing downtown open space and recreation facilities. The Plan will augment and enhance work already in progress via the City's capital investment plan. The plan is to be used by elected and appointed officials and City staff in the ongoing process of making decisions, updating ordinances and allocating funds. The Downtown Open Space and Trails Plan is in parallel with the development of the new Title 19.09 Form-Based Code for downtown (Regulating Plan and District Level Standards). With the completion of the Plan, future phases include funding strategies for land acquisition, facilities development, and coordinated operations of existing and new facilities.

In order to address the challenges and provide vibrant, safe and enjoyable parks and open spaces within the Downtown, goals were developed early in the process to guide the public process and the development of the Plan. The following summarizes the goals established for this process.

- Create more **PARKS** and **GREEN STREETS** to meet the needs and aspirations of the community
- Provide safe, comfortable outdoor public spaces to serve current and growing population and tourism
- Promote fitness to support an overall higher quality of life
- Improve economic health and increase overall property values
- Preserve and celebrate the historic and cultural importance of each district
- Improve and expand the trail system within each district, citywide and regionally
- Create iconic, memorable spaces for both local residents and visitors

PLANNING PROCESS

The process for the Plan included assessing and evaluating the existing parks, open spaces and trails within the area, hosting a series of technical and advisory committee meetings, facilitating two public meetings and regular meeting and coordination with City staff. The results of these efforts are a series of recommendations based on research of other similar parks throughout the country, input from residents and stakeholders and identifying the types and general locations where improvements and new facilities should be considered.

PROJECT CHALLENGES

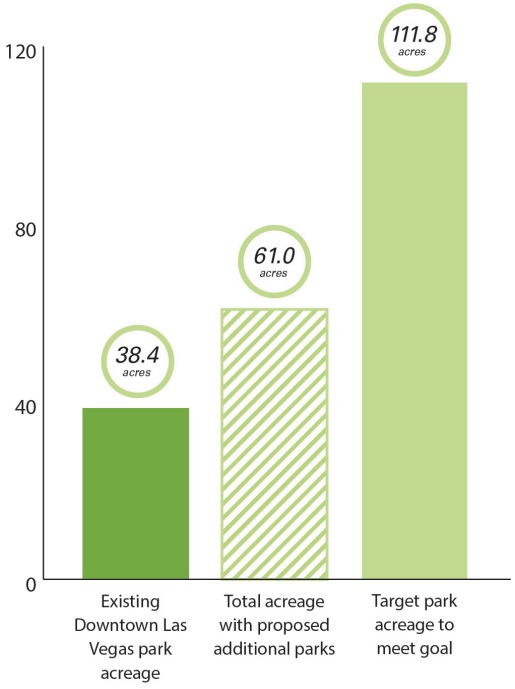
With the downtown area being the most mature and intensely developed area within the City, there are several challenges that were identified during this process. The following is a summary of the issues that will need to be addressed associated with improving and expanding the parks, open spaces and trails within the downtown area. These have been identified in the Vision 2045 Downtown Las Vegas Master Plan, with input from stakeholders and residents, discussions with City staff and through the assessment of the existing conditions by the planning team.

- Poor linkages and connections to the surrounding areas and neighborhoods
- Limited recreation uses that meet the needs of the residents
- Lack of cohesive downtown-wide wayfinding system
- Perceived safety issues
- Limited affordable and available land for new parks

EXECUTIVE SUMMARY

The planning team considered a variety of factors, including downtown land availability, acquisition cost, parking, distance to residential areas, safety, surrounding use, etc. The downtown area will have a total of 61-acres of open space including existing and the proposed parks identified in the System-wide Recommendations Chapter. In order to meet the level of service target and the community's recreation needs 50 acres of new parkland is required.

It is not likely the City will have the funding to achieve this deficit given availability and cost of land for new park facilities. Recognizing community and regional parks within the City's boundaries, yet outside the study area provide active recreational opportunities for downtown residents, the new park facilities within the study area should provide a different experience. Park facilities in the downtown area should have a stronger civic, cultural and events focus to meet the needs of the community and visitors to the area. It is important to understand that parks within the downtown districts will require a higher level of design, construction budget and maintenance compared to a park with play fields and other active recreational opportunities.



NEXT STEPS

Future efforts by the City to implement the recommendations provided in this document include:

Prioritization

The City will determine prioritization of the location and type of improvements based on available funding for land acquisition and construction, opportunities for Public Private Partnerships (P3) and community opportunities and needs identified through engagement.

Programming and Design

Once land has been secured through purchase, donation, or a formalized P3 opportunity is identified, the City should engage the community in developing the programming and design for park improvements. Information in this document should be used as a basis for beginning the design and programming for upgrading existing or constructing new facilities.

Maintenance and Management

Providing consistent maintenance and proper management for parks and urban plazas will need to be considered as part of the programming and design process. Residents and stakeholders have concerns over safety as well as the side effects of a large homeless population currently downtown.

Through proper design some of these issues can be minimized. Increased funding by the City to monitor the parks and/or opportunities for a non-profit organization to program and manage the parks are methods that will improve the use and quality of the parks and open spaces.

We look forward to continuing the discussion and partnering with the community in order to achieve a greener downtown.


Fremont
DISTRIC
El Cortez
VEGA
vanguard



CHAPTER 1

DOWNTOWN OPEN SPACE & TRAILS INVENTORY

PARKS AND OPEN SPACE SYSTEM

Part of the Downtown Open Space and Trails Master Plan is to focus on identifying system condition and prioritizing improvement that aligns with available resources. In the system-wide inventory, the study included a review of demographics, existing park and trail, park classification, and level of service. The planning team held 3 technical and stakeholder meetings to incorporate input from City staff and downtown business owners. The team also held 2 community meetings to collect recommendations and feedback from local residents. With the review and revision process the planning team sought to establish a framework that helps identify current system conditions and future open space and trail needs in the downtown area.

DOWNTOWN LAS VEGAS PARKS SYSTEM

The Master Plan study focused on parks, open space and trails within the downtown area. In total, the City of Las Vegas and private business owners currently manage and operate approximately **38.4 acres of parkland**. It includes **10 parks, one open space, 2 urban plazas, and one sports complex** in the Cashman district.

An inventory of the park system is used to assess quantity, types of the parks, size and service area. The following classifications, based on Las Vegas Master Plan 2020 Parks Element were used to study the existing park system and recommendations.



PARK SYSTEM INVENTORY AND ANALYSIS STUDY INCLUDES

- Parks and open space site visit and condition assessment
- Existing and future level of service for the needs of a growing downtown
- Study of regional parks and trail connectivity
- Demographics and the needs of park uses
- Review session with Technical and Stakeholder committee members.
- Public meetings and surveys

PARKS AND OPEN SPACE SYSTEM

PARK CLASSIFICATIONS

Mini Park/Urban Plaza

Mini park or urban plaza is a small, single purpose park or plaza facility designed for active use for children or passive use for adults. They are generally the smallest in size with no more than one acre of parkland.

Neighborhood Park

Neighborhood park is typically a combination playground and park designed primarily for non-supervised, non-organized recreation activities. They are generally small in size (from 5-10 acres) and serve an area of approximately one half-mile radius.

Community Park

Community park is primarily to provide active and structured recreation opportunities. In general, community park facilities are designed for organized activities and sports. They serve a much larger area (multiple neighborhoods) and offer a greater diversity of facilities.

Their service area is generally between a 1 to 3 mile radius. The minimum acreage requirement is above 10 acres with the optimal size being between 20 to 40 acres.

Regional Park

Regional park is designed to serve the entire city of Las Vegas. Regional parks include recreational facilities and/or programming elements of regional significance. These parks usually start at around 40 acres and are more typically in excess of 100 or more.



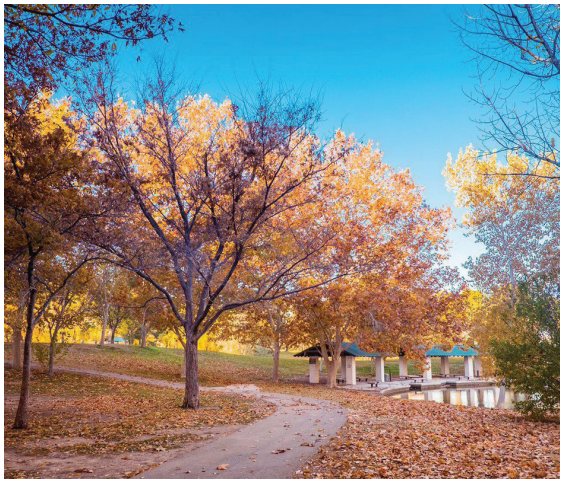
Mayfair Place Park (Mini Park)



Ethel Pearson Park (Neighborhood Park)



Lorenzi Park (Community Park)



Floyd Lamb Park (Regional Park)

Park Classification Examples

PARKS AND OPEN SPACE SYSTEM

In addition there are two park types that could be introduced into the downtown park system:

Joint Use Park

Joint use parks function primarily as playgrounds and field space for schools and by the general public when schools are not in session. The service area for joint use park will be similar to the ones for Neighborhood Park

Urban Park/Central Park

Defined as delineated open space areas, mostly dominated by vegetation and water, and generally reserved for public use in the urban central area. Urban parks are mostly larger, with multiple programs and event space to serve the entire city.

Below is a summary chart to describe existing park facilities in downtown Las Vegas. For a complete matrix of existing parks see chapter 3 parks assessment and appendix A for detailed information including acreage, amenities and classifications.



Grand Park in Downtown Los Angeles - an example of urban central park

PARK TYPE	SIZE	PARKS IN DOWNTOWN	LAS VEGAS PARK EXAMPLE	AMENITIES OFFERED IN THE PARK
Mini Park/Urban Plaza	<1 acre	7	Fitzgerald Tot Lot, Mayfair Place Park, Healing Garden, Stupak Park	Playground, Small Shade Structure, Fitness Equipment
Neighborhood Park	1-10 acres	6	Ethel Pearson Park, Heritage Park, Symphony Park, Centennial Plaza	Playground, Shade Pavilion, BBQ Place, Fitness Equipment, Running/Jogging Trail, Sport Courts
Community Park	10-50 acres	0	Lorenzi Park, Jaycee Park. These parks are not in the downtown limit but serves downtown residents.	Large Play Facility, Splash Pad, Large Shade Pavilion, Sport Courts, Sport Fields, Running/Jogging Loop Trail.
Regional Park	40+ acres	0	Floyd Lamb Park, Lone Mountain Regional Park. These parks are designed to serve the entire city.	Large Play Facility, Large Shade Pavilions, Multi-use Lawn, Sport Courts, Sport Fields, Running/Jogging Loop Trail, Special Use Such as Horse Riding or Kart Tracks.

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PARKS AND OPEN SPACE SYSTEM

EXISTING LEVEL OF SERVICE

Level of Service (LOS) is a study based on existing park acreage per population estimated in the downtown area. The LOS is used to examine the park resources and to determine adequacy for the needs of local residents. It also helps to understand how downtown Las Vegas parks uphold this standard when comparing it to other cities with comparable LOS.

The current population in the downtown area is approximately 22,000. Therefore the overall LOS currently provided by all parks is 1.7 per 1,000 residents. Nationwide a typical park and recreation agency offers 10.1 acres of parkland per 1,000 residents, identified by the National Recreation and Park Association (NRPA). While the level of service quantitatively studies the overall parkland, several areas within the downtown boundary are more under-served than others. In this study the planning team has taken other factors such as open space corridor, land availability, community and business owners' inputs into park system recommendations.

REGIONAL PARKS AND TRAILS

Some large community parks, such as Lorenzi Park, are located outside the downtown limit but their service area covers local residents. Most of these community level parks are within driving distance for the downtown community and accommodate their active recreation needs. The following maps show the location and service area for all regional parks and trail system.

*The City of Denver has **108 acres** of open space to serve **19,000+** downtown residents. A well-established public transit and trail network helps 60% of downtown employees use transit, bike, walk, or carpool to work.*

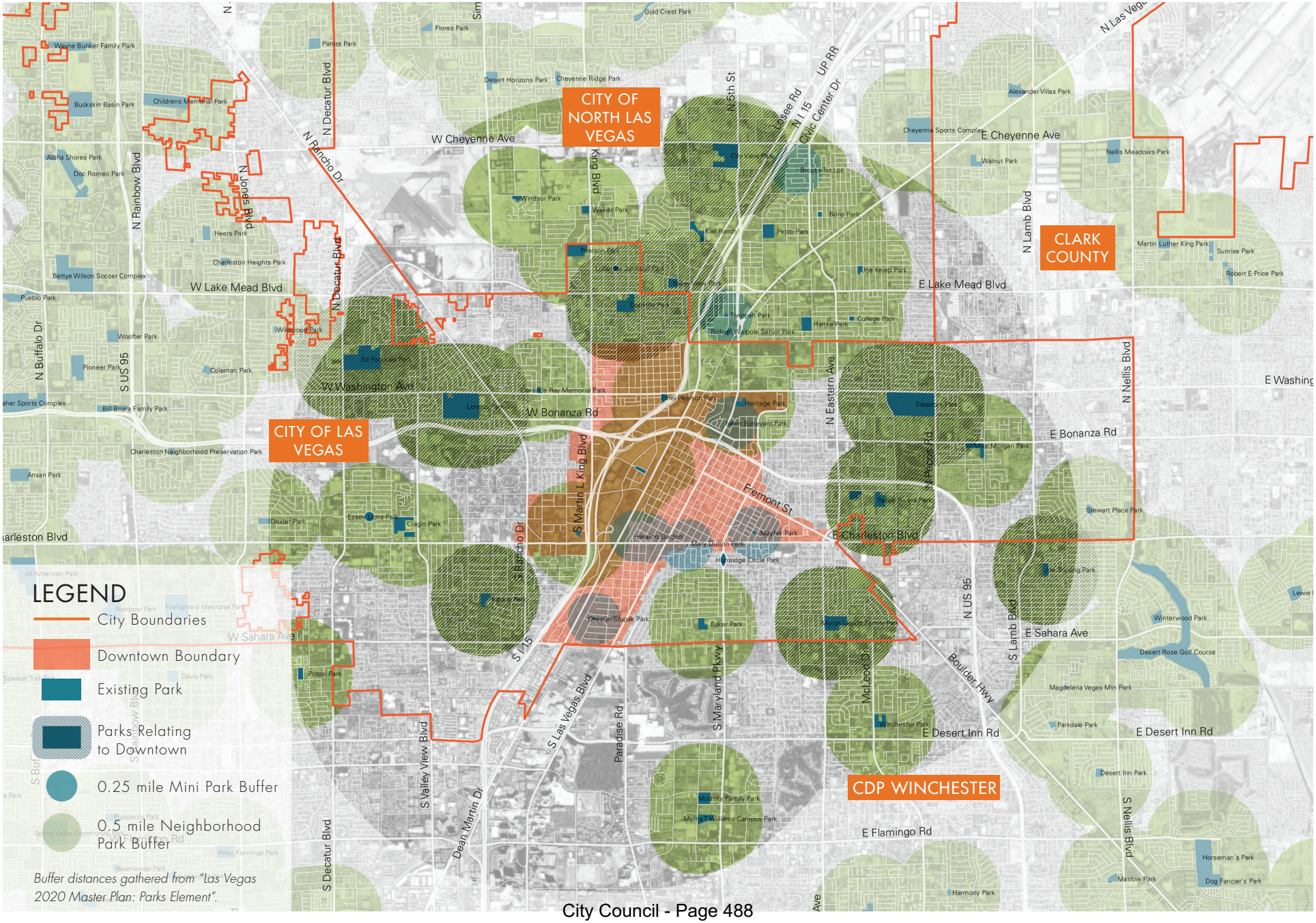
CASE STUDY: *OPERATE AND MANAGE A CITY PARK*

*Cost of managing a city park varies with the park type, location, and recreation programs. Based on 2018 NRPA field report, the median level operating expenditures is **$6,589** per acre of parkland. This converts to a typical park and recreation agency with an annual operating expenses of **$78.26** per capita. The denser the population, such as downtown environment, the higher operating expenses per people basis.*

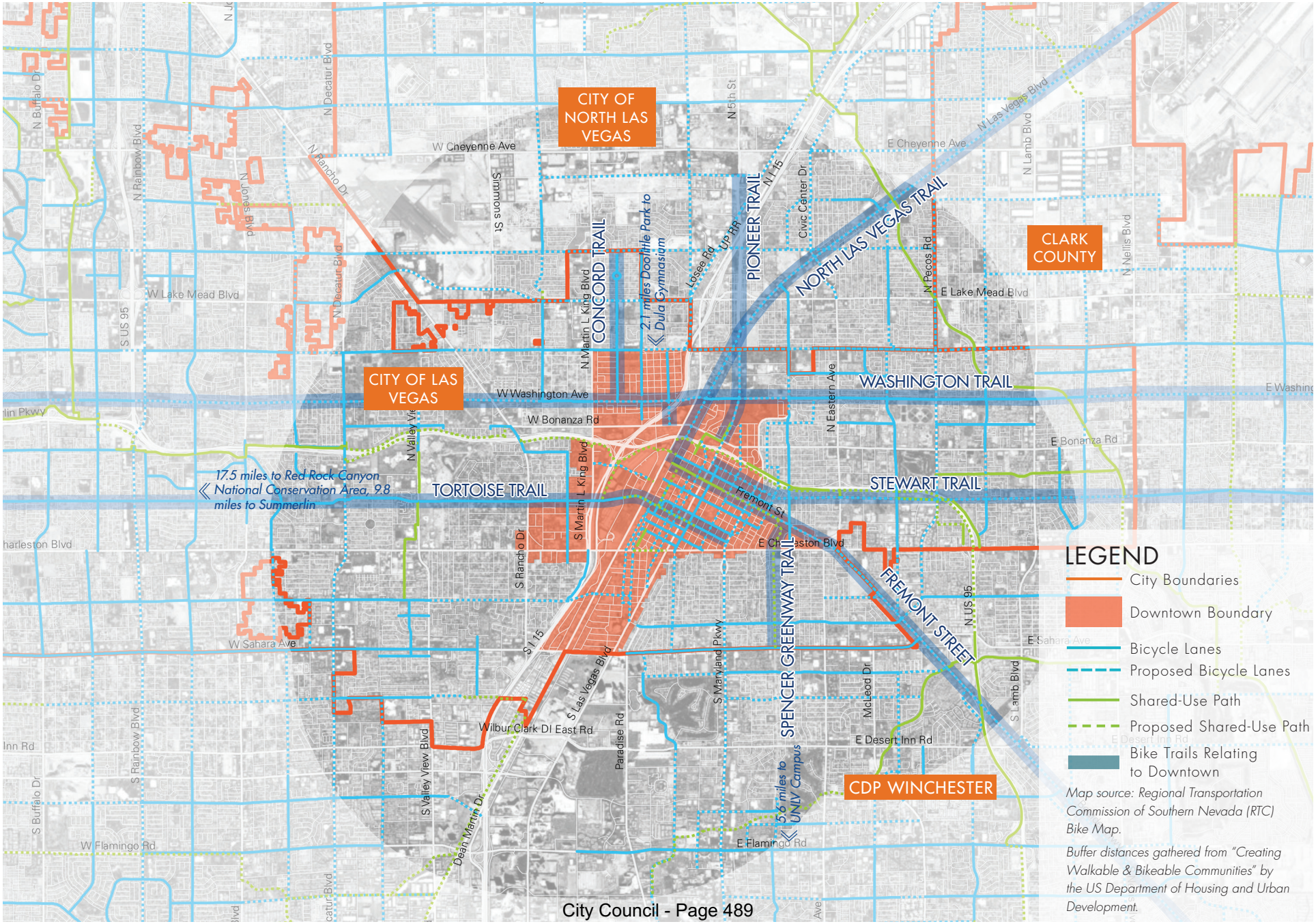
*Parks operation expenditures also involve personnel services. At the typical park and recreation department, such personnel services account for **55 percent** of the operations budget.*



PARKS AND OPEN SPACE IN THE REGION



BIKE NETWORK IN THE REGION



STUDY AREA AND AREA OF INFLUENCE

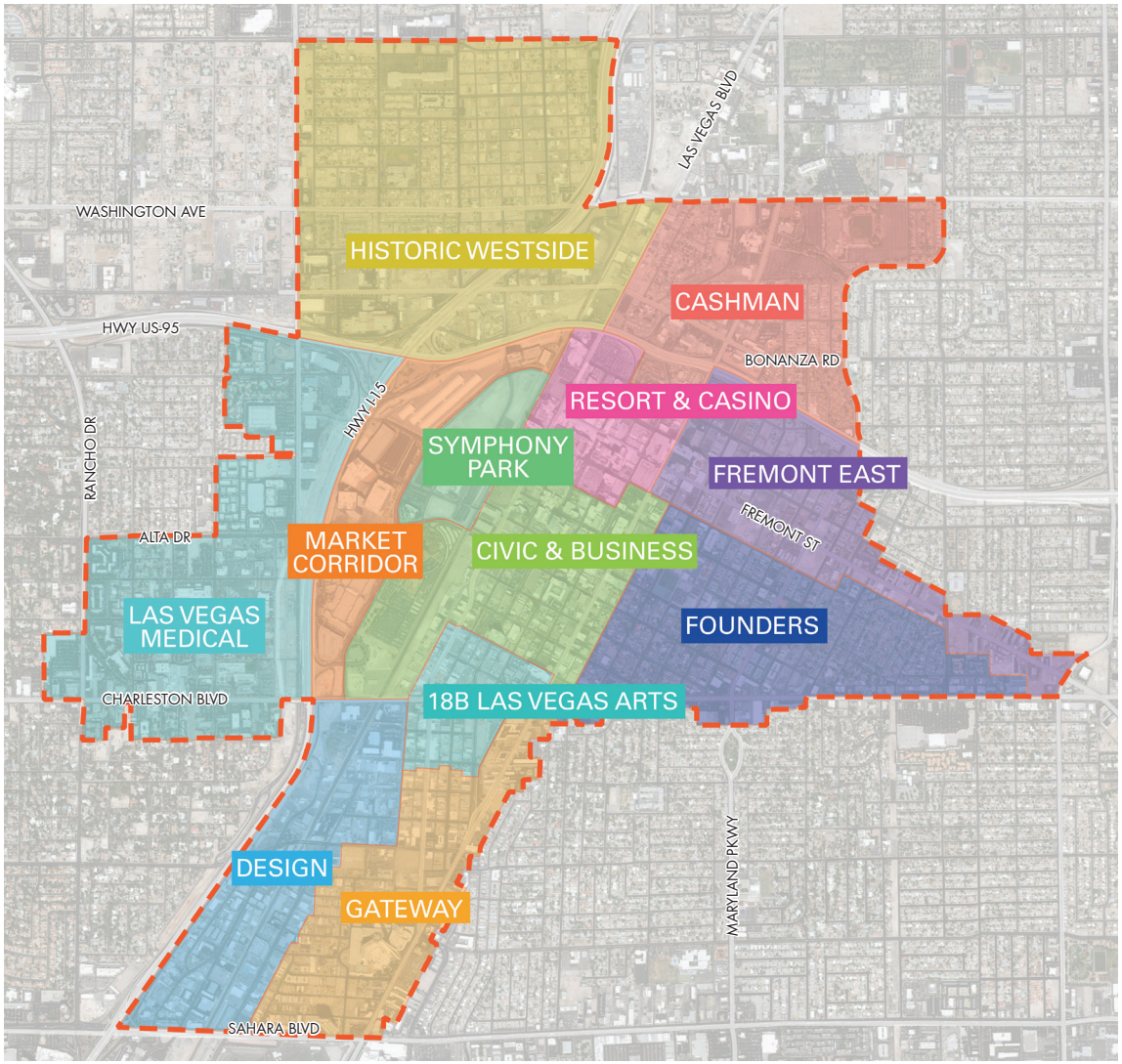
STUDY AREA

The downtown area is situated in the southeast corner of the city boundary just north of the Strip. Historically it's the region's first settlement that formed the original gaming industry in the Valley. Today, downtown Las Vegas consists of a variety of businesses and community, and with a series of nationally known art & musical events in the area.

Based on the Vision 2045 Downtown Las Vegas master plan, the study area includes parks and trails within 9 districts that are traditionally considered the downtown core, 2 districts (Historic Westside and Cashman) north of the highway 95, and Medical district east of the Interstate 15. In the recommendations chapter the study clusters the downtown into five subareas: the **Downtown Core, Downtown North, Downtown South, Downtown East** and the **Medical District**. Additional parks within the area of influence, such as Huntridge Circle park were also taken into planning considerations.

DOWNTOWN EXISTING PARKS, TRAILS, AND FACILITIES

The master plan provides study and recommendations for downtown's existing parks and trails. These include all neighborhood and mini parks that are currently managed by City or through a partnership agreement. The study also assesses parks and plaza space that are under public private partnership, such as Symphony park. These parks support a wide variety of recreation uses for downtown residents. The following maps show the location and service area for all parks, trails and facilities in the downtown area.



Downtown District Map

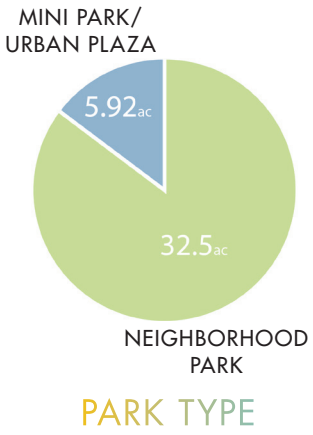
EXISTING PARKS & OPEN SPACE

LEGEND

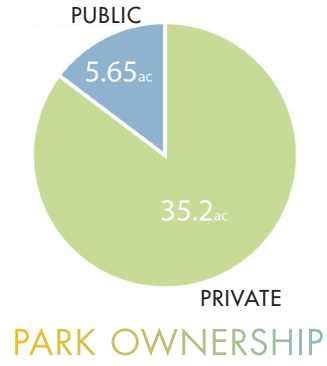
- Existing Park (public)
- Existing Park (private)
- Closed Park
- Highways & Major Thoroughfares
- District Boundary
- Study Boundary

Scale: 1" = 2,500'

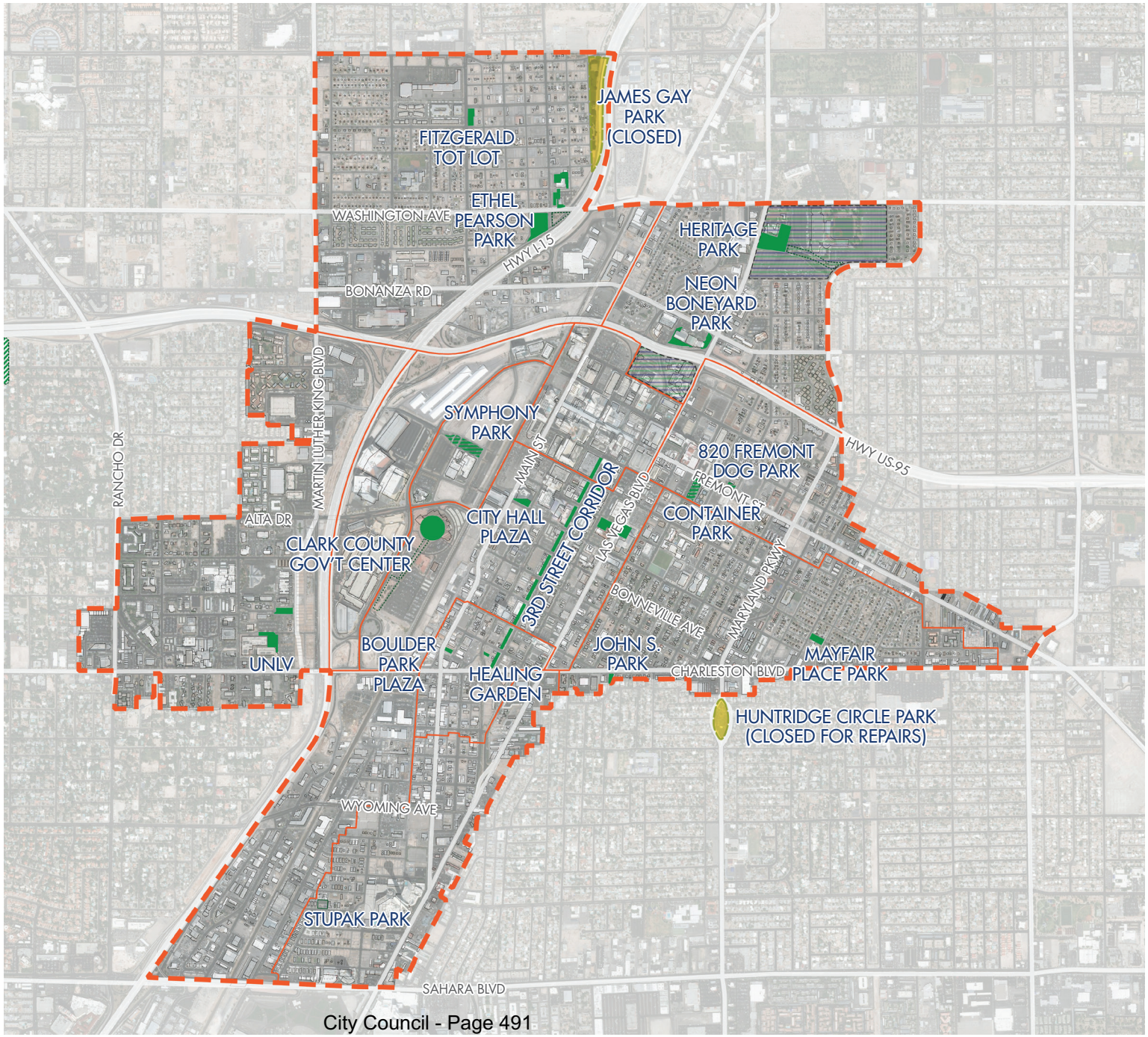
0 ft 1,250 2,500



PARK TYPE



PARK OWNERSHIP



EXISTING & POTENTIAL TRAILS

LEGEND

- Existing Sidewalk Trail
- Potential Sidewalk Trail
- Existing Shared Use Path
- Potential Shared Use Path
- Existing Bike Lane/Route
- Potential Bike Lane/Route
- Highways & Major Thoroughfares
- District Boundary
- Study Boundary

Scale: 1" = 2,500'

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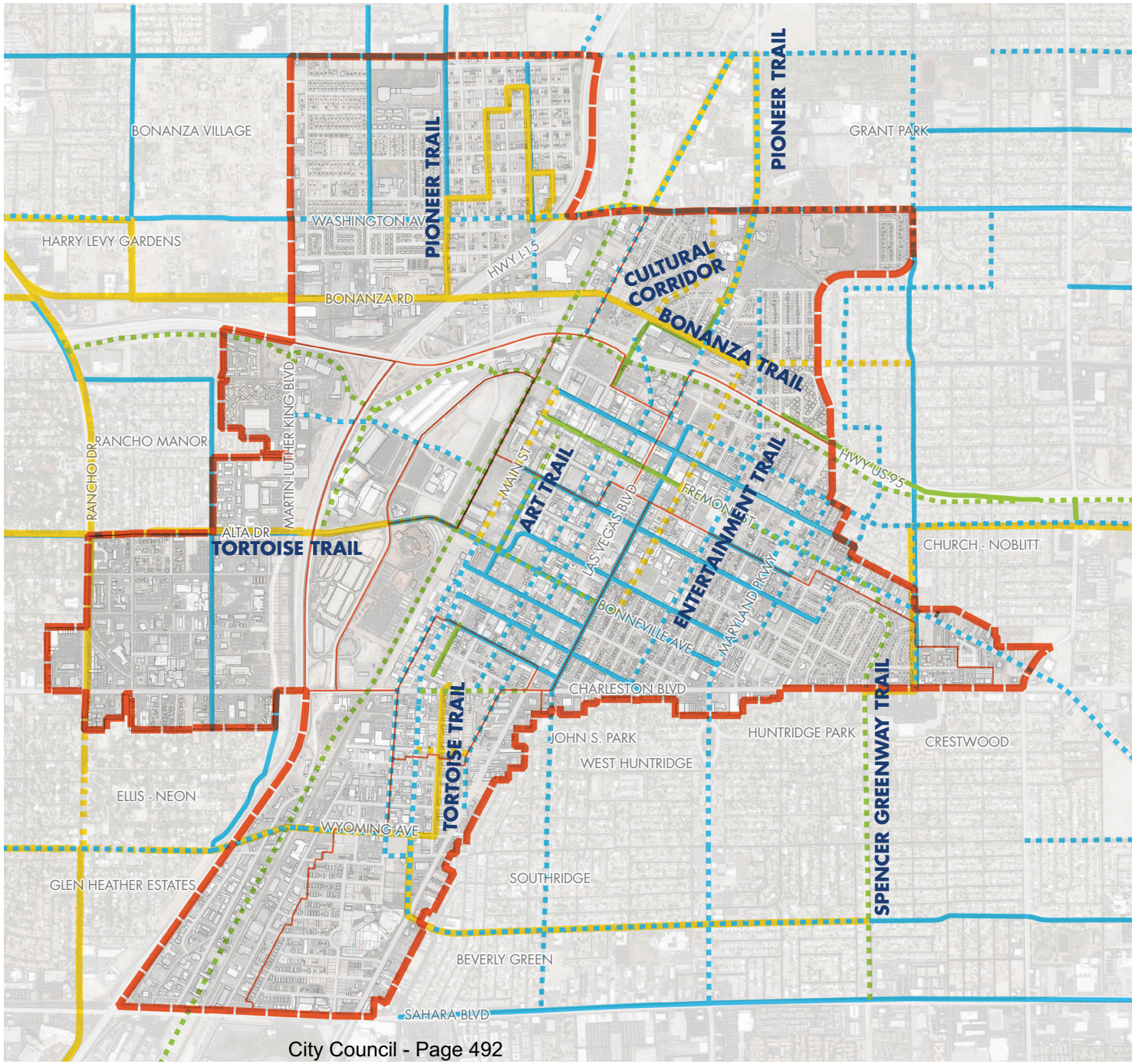


EXISTING FACILITIES

LEGEND

- Recreation or Cultural Facilities
- Other Civic Facilities
- Highways & Major Thoroughfares
- District Boundary
- Study Boundary

Scale: 1" = 2,500'

0 ft 1,250 2,500



PROJECT AREA DEMOGRAPHICS

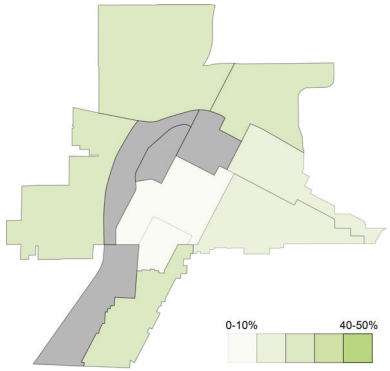
COMMUNITY DEMOGRAPHICS OVERVIEW

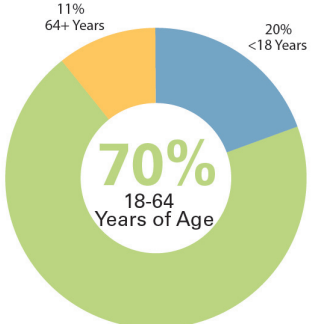
As one of the master plan study goals, existing parks and open space shall embrace trends and community needs for park and recreation use. This master plan identifies the character of downtown demographics by each district, and reflect priorities in the recommendation. Specific demographic items under this study include:

The infographics on the right describe the downtown existing demographics and summary of key findings.

Demographic Mapping

AGE UNDER 18





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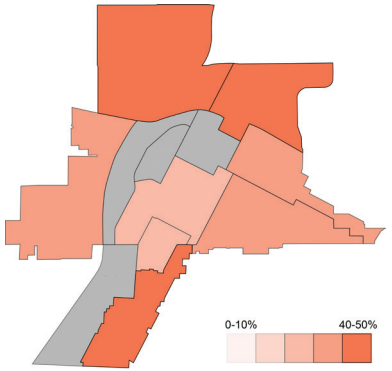

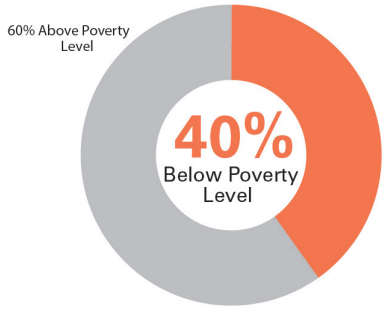

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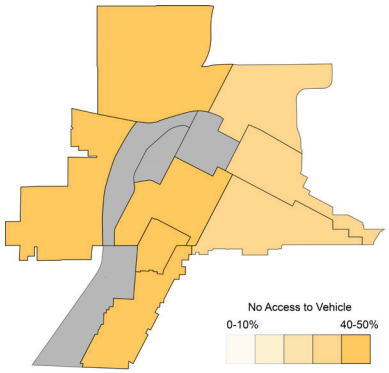
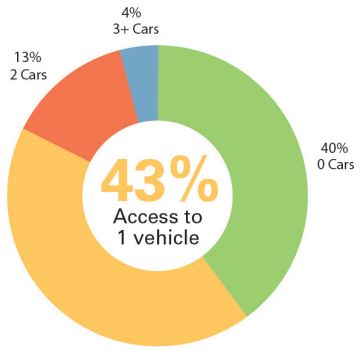
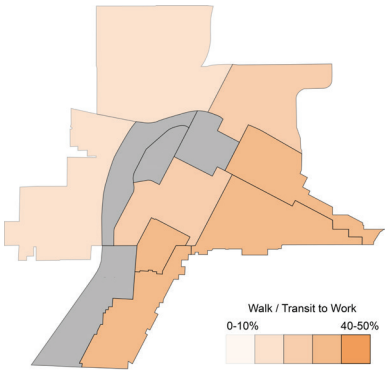
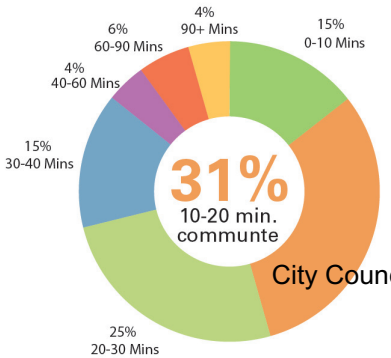


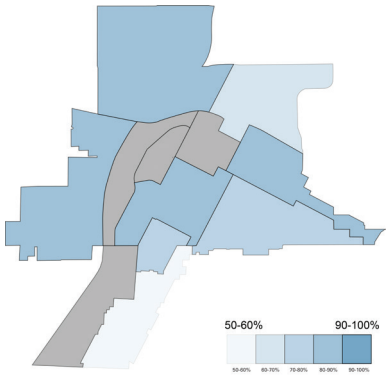


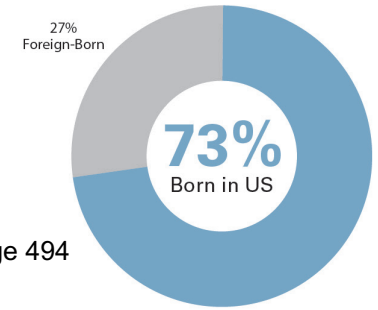
COMMUTE

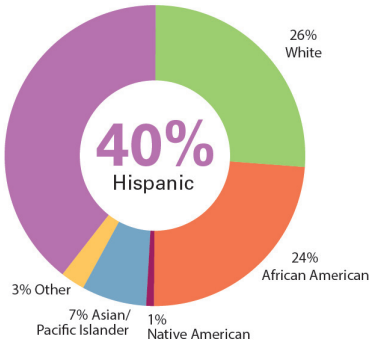




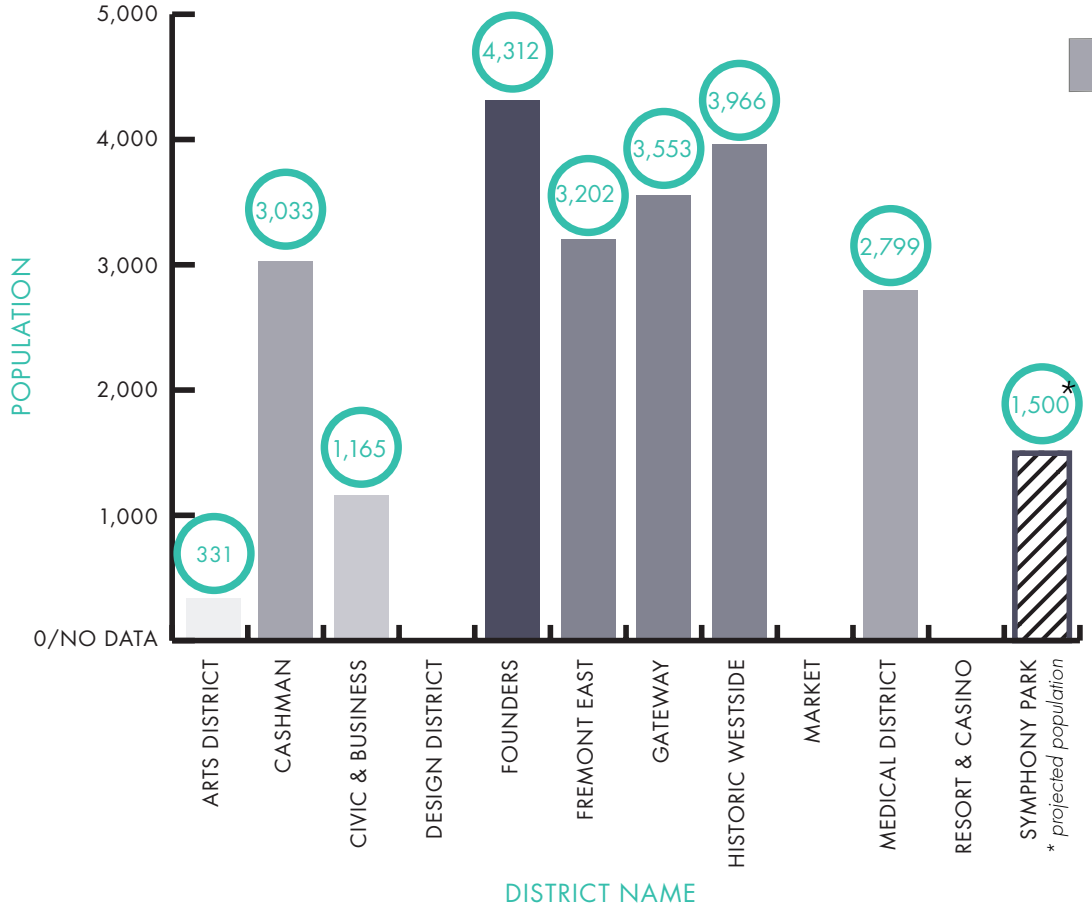
CITIZENSHIP & ETHNIC GROUPS

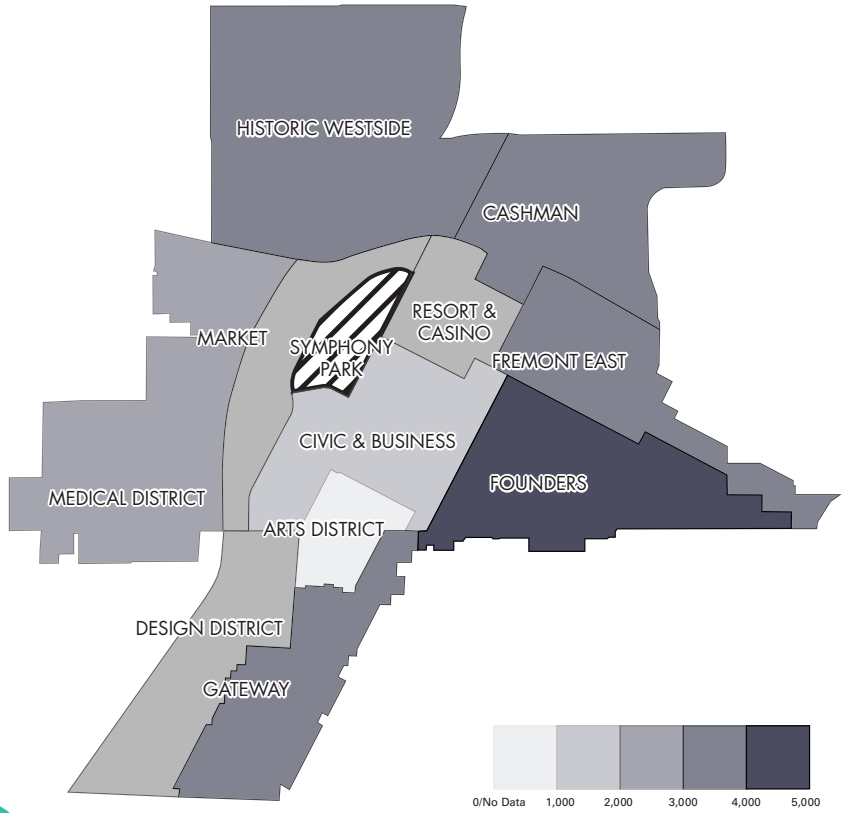






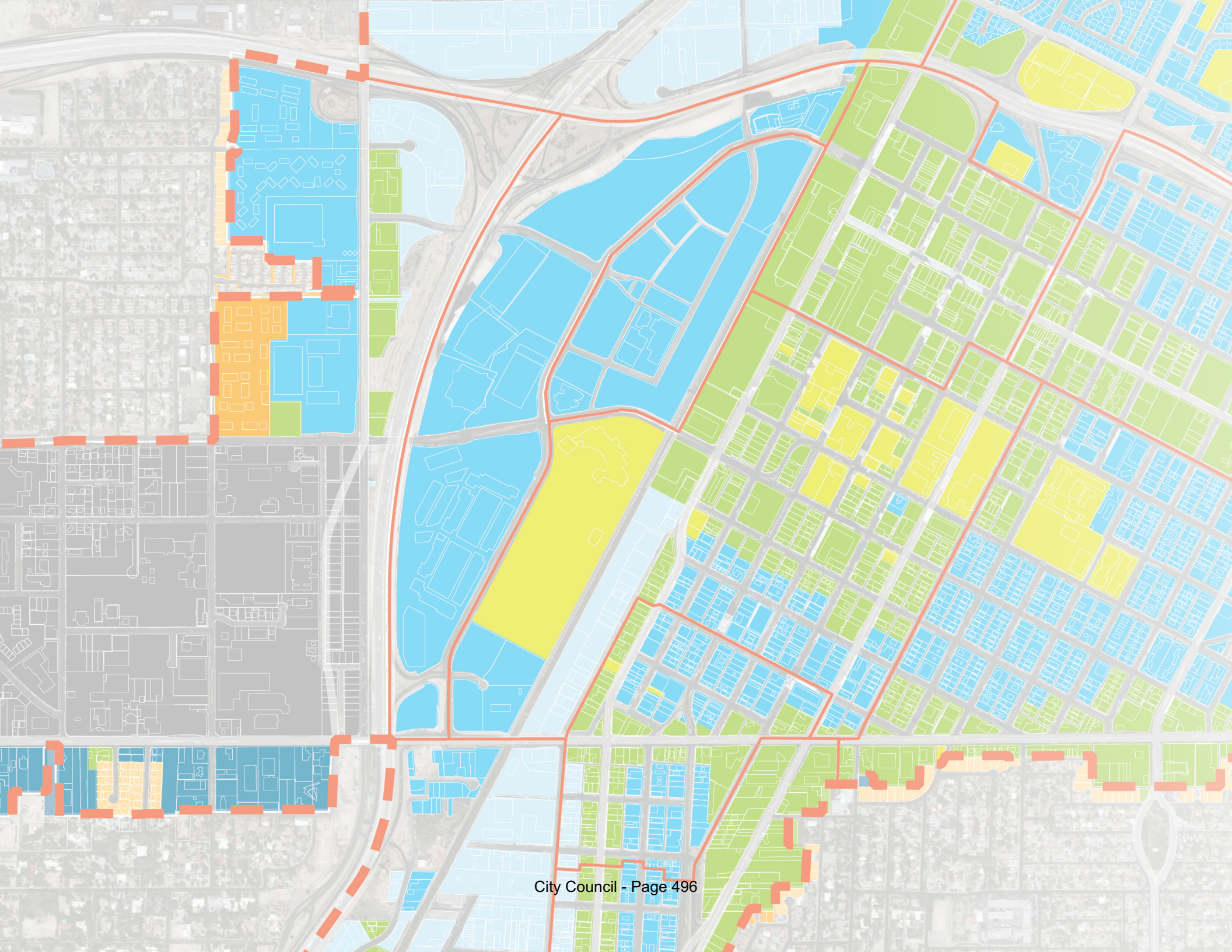
PROJECT AREA POPULATION ANALYSIS





° *While the Symphony district does not have population today, it will attract over 1,500 residents with its near term residential development.*

POPULATION BY DOWNTOWN AREA



CHAPTER 2
SYSTEM-WIDE ASSESSMENT

PREVIOUS PLANNING DOCUMENT REVIEW

VISION 2045: DOWNTOWN LAS VEGAS MASTER PLAN

The Vision 2045 Plan serves as a separate master plan for Downtown Las Vegas, given that its character differs from the rest of the city. The plan proposes 24 additional acres of parks throughout the 12 downtown districts by establishing a Downtown Central Park, 5 Neighborhood Parks, numerous Urban Plazas and Mini Parks, and public-private partnership opportunities.

The Plan proposes a 'super aggressive growth scenario' in which 12 million gross square footage is predicted in the downtown study area to occur. The future development will promote the gaming and tourism industry, provide ample housing and community amenities, expand retail and entertainment offerings, create more parks and green streets, and rebrand the Downtown area.

Based off of the recommendations from the Vision 2045 Plan, the Las Vegas Downtown Open Space and Trail Master Plan makes specific recommendations to align with the opportunities within each district.

LAS VEGAS 2020 MASTER PLAN: PARKS ELEMENT

The Parks Element from the City's 2020 Master Plan seeks to establish a network of parks, complete streets, trails, and non-traditional open spaces. Non-traditional open space includes activated alleys and fringe land (viaducts, underpasses, transitional zones, and underutilized parcels).

The Master Plan is currently being revised, yet it contains numerous goals, objectives, and policies pertaining directly and indirectly to developing the Downtown Open Space and Trails Master Plan. They include the following:

Goal 1

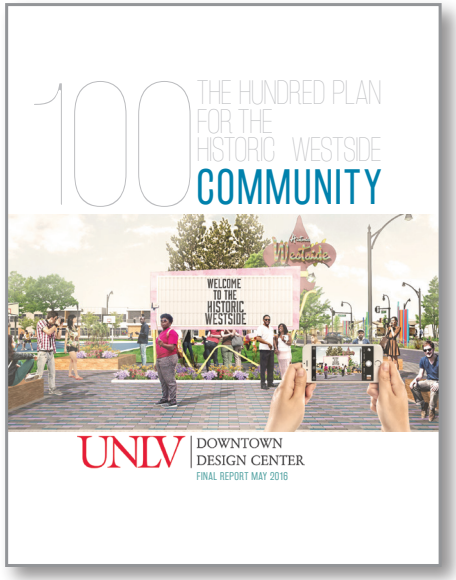
The Downtown area will emerge as the preeminent hub of business, residential, government, tourism and gaming activities in the City of Las Vegas and as a major hub of such activities in the Las Vegas Valley.

Goal 2

Mature neighborhoods will be sustained and improved through appropriate and selective high-quality redevelopment and preservation.

Goal 3

Newly developing areas of the City will contain adequate educational facilities, and recreational and open space and be linked to major employment centers by mass transit, including buses and by trails.







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LAS VEGAS 2020 MASTER PLAN: TRAIL ELEMENT

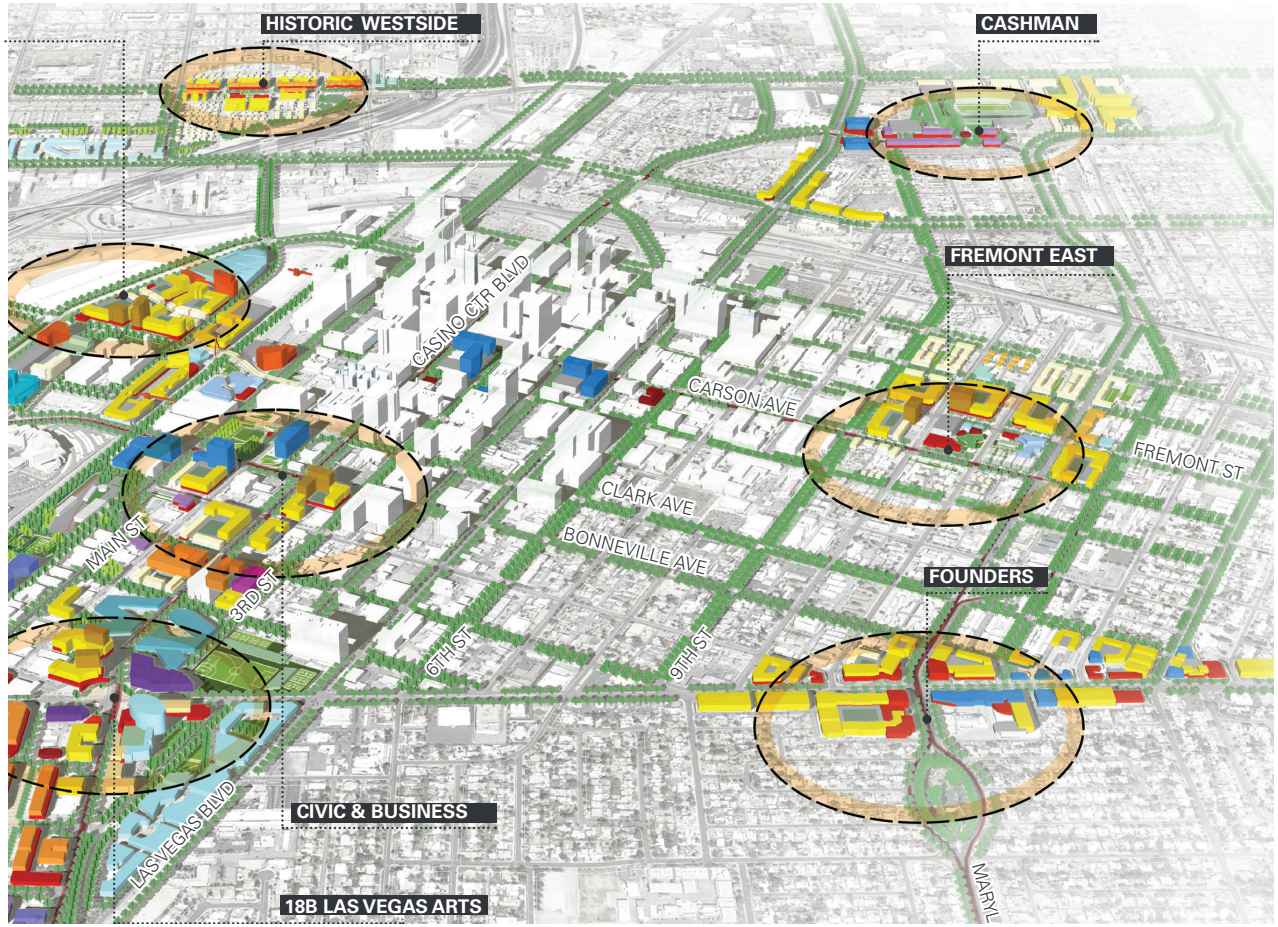
The trail element from Las Vegas 2020 Master Plan was to establish standards, guidelines, policies and priorities for the transportation and recreation trails in Las Vegas. The Plan outlines trail improvement goals including an interconnected downtown trail system, enhanced streetscape linked between parks and neighborhoods, and trail system to highlight region's cultural and environmental significance..

THE HUNDRED PLAN FOR THE HISTORIC WESTSIDE COMMUNITY

The HUNDRED Plan is a district-level master plan for the Historic Westside district. The Plan focuses on linking the current district with its history in the development of Las Vegas. The Plan outlines eight goals to transform the neighborhood into a thriving area:

1. Establishing gateways to create visual interest and establish boundaries.
2. Revitalize historic Jackson Street with catalyst projects to boost the local economy.
3. Infill development such as housing, plazas, community gardens, and community clubs.
4. Establish Washington Avenue with live music venues and restaurants
5. Infill projects along Owens Avenue and Martin Luther King Boulevard for commercial, and office uses.
6. Design for pedestrians and cyclists with complete streets to improve safety, tree coverage, and access to multi-modal transportation.
7. Develop a mixed-use development adjacent to James Gay Park to make the area a safer environment.
8. Revitalize the Moulin Rouge Entertainment area with mixed-use, small-scale, artisan and industrial uses.

Of these goals, this plan recommends establishing enhanced gateways into the community to provide better connectivity between the district and the rest of the downtown.



Graphic from Vision 2045 Downtown Las Vegas Master Plan

OUTREACH

TECHNICAL AND STAKEHOLDER OUTREACH SUMMARY AND KEY FINDINGS

By creating a shared vision among city staff and community members, the master plan invited groups with various interests to review and comment on mappings and recommendations. This will aid in community buy-in and implementation. Committees included:

Technical Committee

Comprised of staff from related city departments (Mayor and City Council, Planning Commission, City Manager's Office, Planning, Cultural Affairs, Parks and Recreation, Public Works and Major Projects Coordination Team) to share information and discuss current issues and challenges associated with existing parks. In addition, the group provided insight to resolving issues and understanding opportunities of expansion and implementation of the parks.

Stakeholder Advisory Committee

The Advisory Committee consisted of residents from downtown Las Vegas, local private business owners and organizations, institutional groups and organizations to guide the process.

Below is a summary of key findings and consensus throughout the master planning process.



KEY FINDINGS

- *Downtown parks and open space improvement shall tie to local cultural and historic character.*
- *Creating inviting park facilities which address safety and other concerns.*
- *Look for opportunities to create economic benefit, either in the parks or adjacent to them in the form of development activity.*
- *Implement reasonable changes to the streetscapes and provide friendly pedestrian experience*
- *A shaded and walkable downtown network.*

COMMUNITY OUTREACH SUMMARY AND KEY FINDINGS

As part of the public outreach strategy, the project team held two public meetings, administered a community online survey and conducted community outreach in Wards 1, 3 and 5 to share information about the project, gain feedback about the existing parks, and gain recommendations for site improvement opportunities. Outreach efforts showed that the community desires inviting, safe, accessible, flexible, and comfortable public spaces.

Many downtown residents choose driving over walking and bicycling due to lack of tree coverage and extreme heat on pedestrian walkways due to the desert climate of Las Vegas.

Another major concern from the community is safety and maintenance in public spaces—people want clean, family-friendly environments to socialize and play. With regards to the amenities and programs provided by the parks, the community prefers active uses to facilitate fitness and outdoor recreation for all age groups.

Many community members said that **safety and maintenance issues** deter them from spending more time in downtown parks.

A majority of public meeting attendees want to see **active uses** in the city's parks and open space.

> *"There is great potential for Las Vegas to make itself known for other things—not just partying and nightlife. We should reinvent the days in Las Vegas for the active adults, parents, and families. For the bikers, hikers, runners, and athletes. Put us in the light and show that we are also a community of healthy, active adults and families."*
>
> —Comment Card from Public Meeting 2





SYSTEM-WIDE ASSESSMENT CRITERIA

QUANTITY

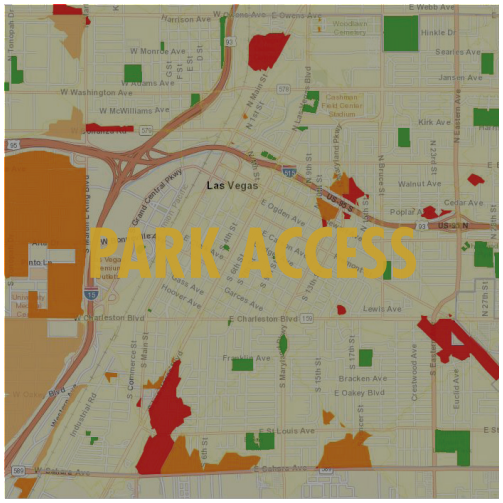
OUTSIDE PARKS

INSIDE PARKS

QUALITY









SYSTEM-WIDE ASSESSMENT CRITERIA

PARK DISTRIBUTION

The distribution of parks affects social and ethnic equity and how well groups can access parks. Parks in the downtown area need to be evenly distributed so that all neighborhoods have acceptable park coverage. Distribution also ties into neighborhood density (denser neighborhoods should have more parks to accommodate the higher population) and physical location (parks must be placed in safe, easily accessible locations in order to have a positive impact on the communities which the serve).

PARK ACCESS

Parks that are easy to access, have lower crime rates and have better neighborhood conditions translate into increased park use. Park should be accessible for all age groups. Having many connections into parks from adjacent neighborhoods and parks along streets with low traffic volumes is shown to increase the publics level of appreciation for parks.

AMENITIES & PROGRAMS

Programs provided in parks should be a reflection of the community's needs, to accommodate changing demographics and trends of how public space is used. Amenities and programs should also fill the park gaps withing the downtown area. Flexibility and availability of public space is also important in accommodating public, art, and musical events in order to build a Downtown Las Vegas brand.

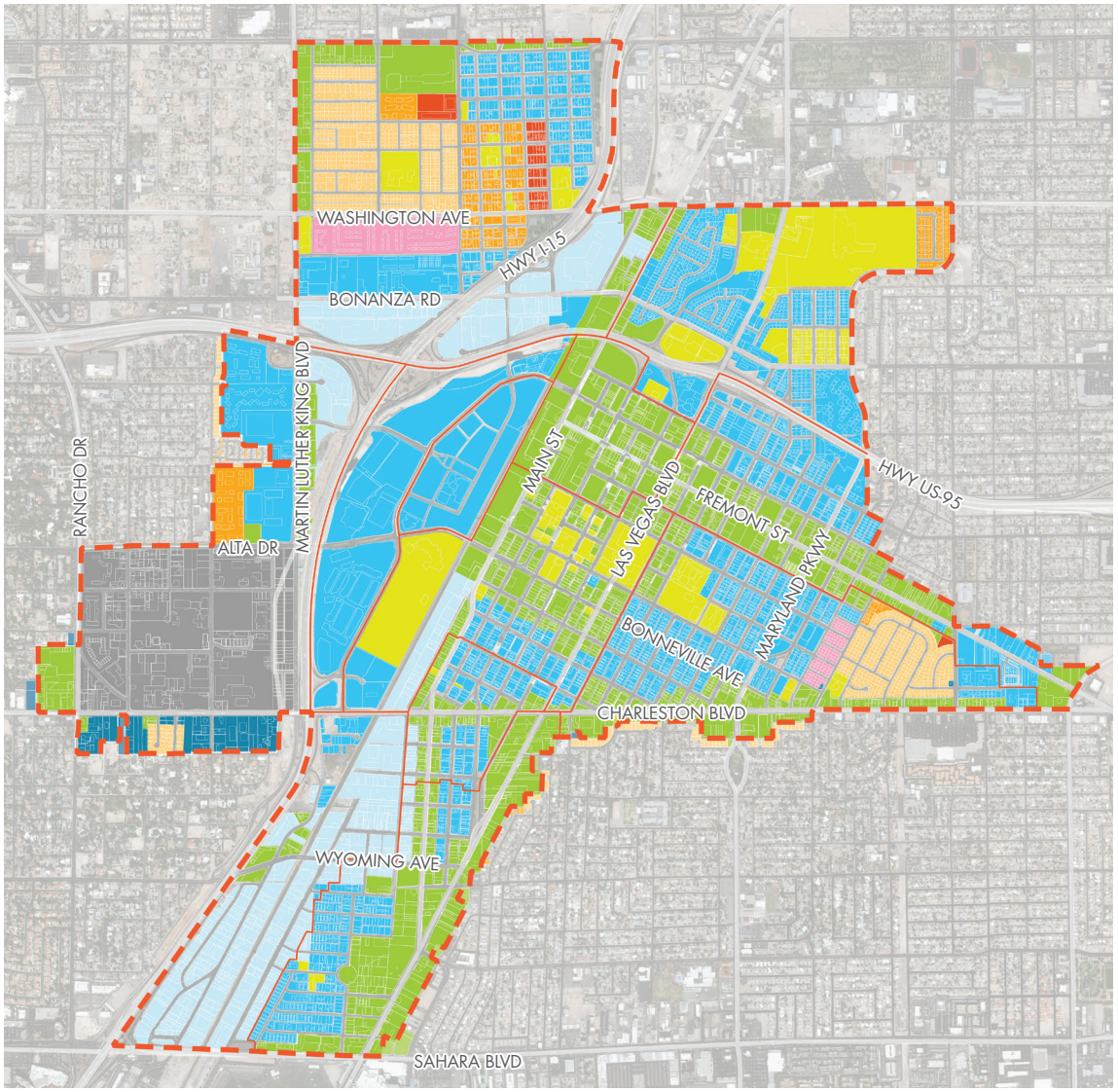
PARK CONDITION

Parks that are in good condition are associated with higher use. Condition of parks includes being well-maintained, aesthetically appealing, and safe and inviting. Facilities that are poorly maintained and high levels of litter are shown to negatively impact civic trust of parks and open spaces.

EXISTING PARKS AND OPEN SPACE ANALYSIS

CURRENT AND FUTURE LAND USE

The primary land uses within the downtown study area are mixed-use, commercial, light industry/research, and the Medical district facilities. A majority of public facilities, (which includes parks and open space) are located in the Downtown Core and Downtown North. These areas have a great amount of industrial zoning which correlates with decreased access to public facilities.



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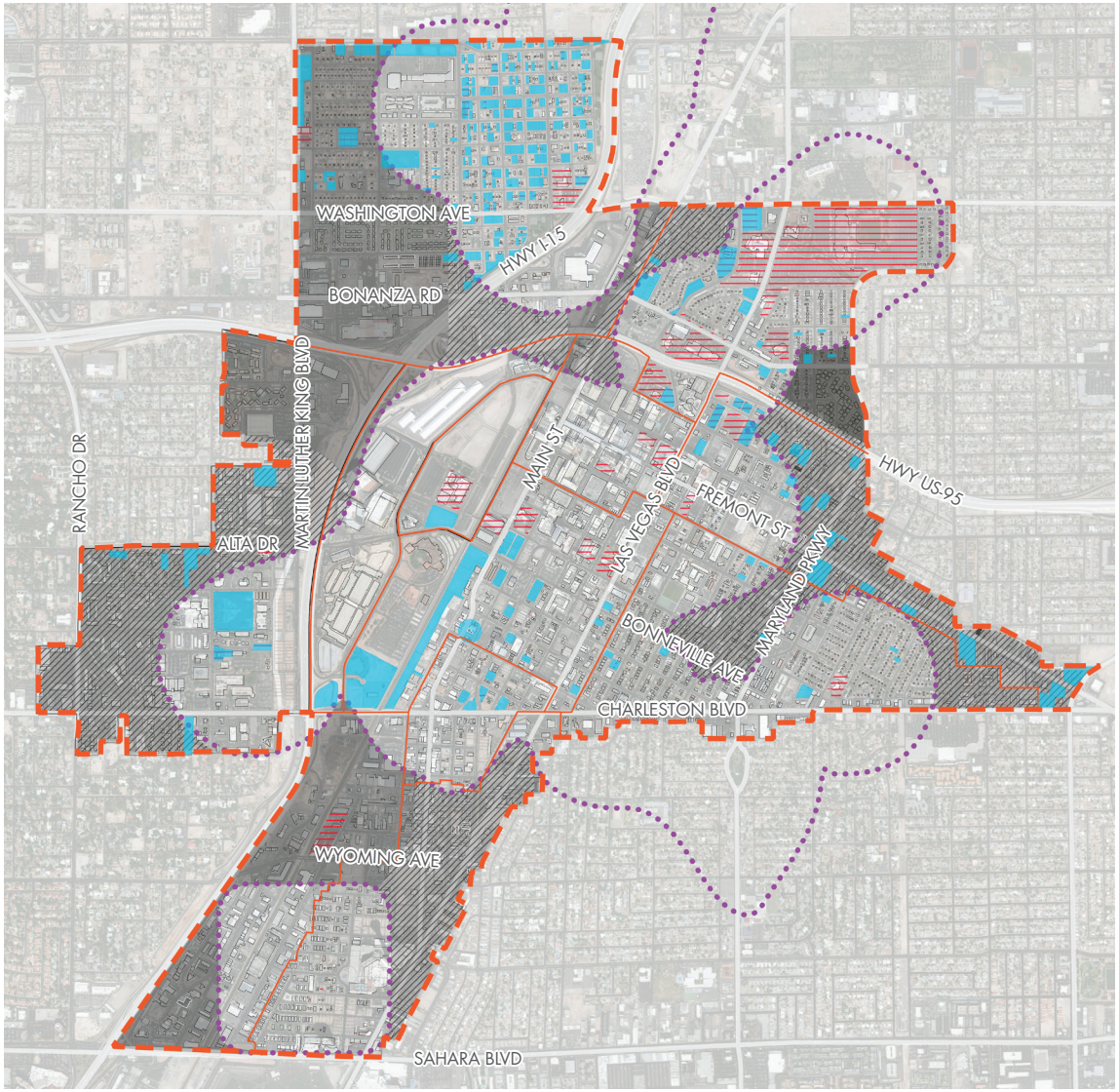
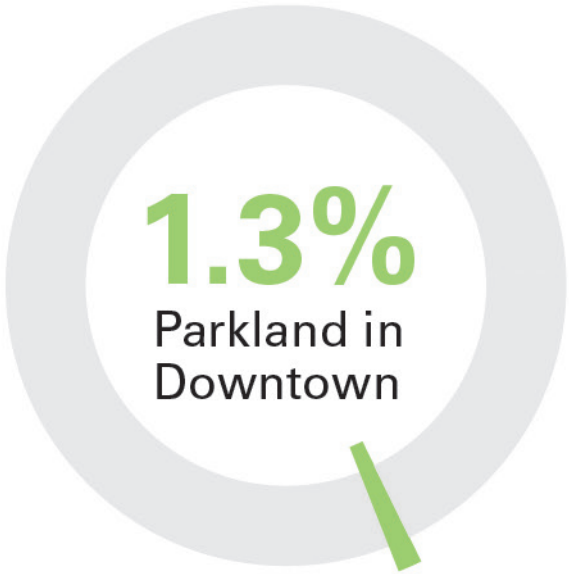


PARCEL VACANCY

The parcel vacancy assessment shows that there are several privately owned vacant lots within the downtown area, with the highest vacancy rates occurring within the Historic Westside, Civic & Business, and Fremont East Areas. Vacant lots outside of the 1/4 mile park walkability buffer provides the greatest opportunity for the city to purchase vacant privately owned to convert into parks or establish a public-private partnership with a private landowner.

PARK SPACE DEMAND

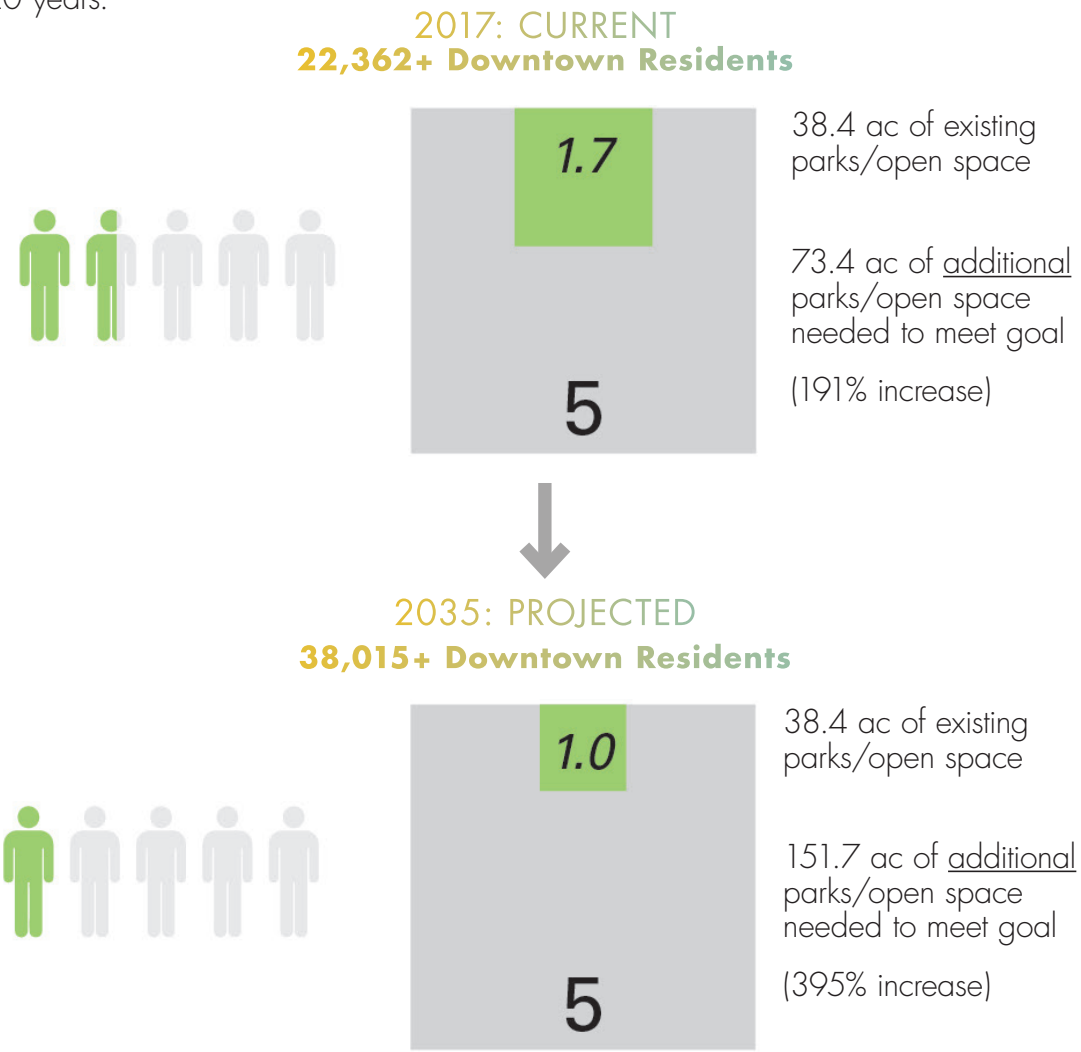
In order to fulfill the goal of providing 5 acres of parks for every 1,000 residents, Downtown Las Vegas currently needs 73.4 acres of additional parks and open space. Accounting for a projected 2.9% annual population growth rate, by 2035 the city must provide a total of 190 acres of parks and open space.



38.4 acres of Parkland for 3058.9 acres of Downtown study area

LEVEL OF SERVICE BY POPULATION

Downtown Las Vegas currently has 38.4 acres of open spaces that serve over 22,000 local residents. It converts to an average LOS of 1.7 acres parkland per 1,000 residents. Downtown will need additional public open space to maintain or exceed the existing LOS when total population increases to 38,000 in the next 20 years.



TARGET LEVEL OF SERVICE AND WALKABILITY



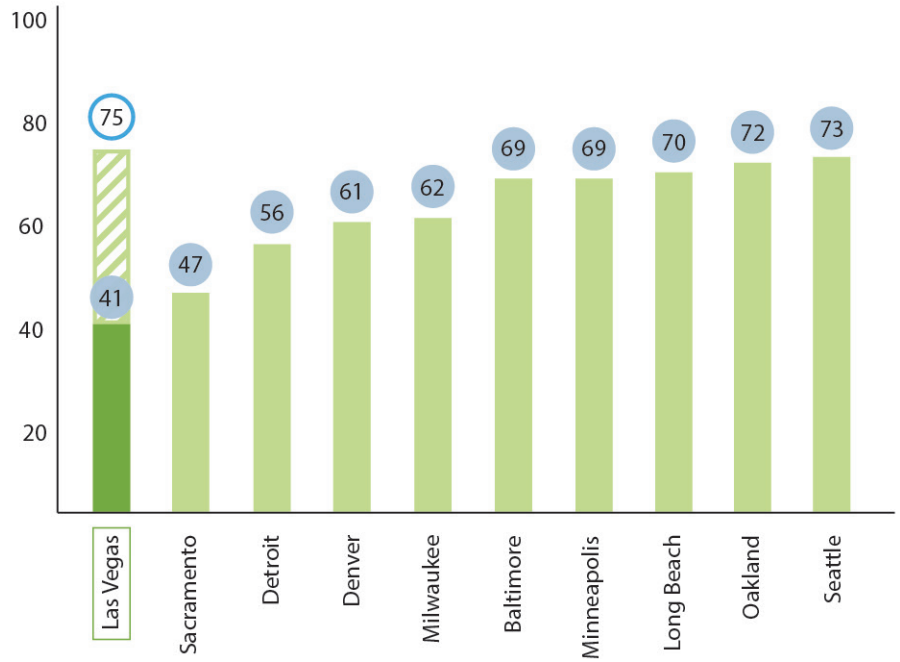
Level of Service Comparison

5.0 Acres of parkland per 1,000 residents would be an achievable goal for Downtown Las Vegas.

13.7 The median park acres per 1,000 residents provided by medium-low density cities

7.8 Las Vegas' citywide park acres per 1,000 residents (2017)

(Source: The Trust for Public Land's 2016 City Park Facts)



Walkability Score Comparison

Walk Score analyzes walking routes to nearby amenities. Amenities within a 5 minute walk (0.25 miles) are given maximum points. A decay function is used to give points to more distant amenities, with no points given after a 30 minute walk.

A walkscore of 75 in a downtown area will be regarded as 'very walkable city'.

PARKLAND COMPARISON



TUCSON

On week days the city transforms Jacome Plaza into an **"outdoor office"** by providing **furniture**, **wifi**, and **career services** to help people find jobs.

Total Downtown Park Acreage: 14.1 acres

Downtown Park Density: 4.9 acres per 1,000 people

Average Downtown Park Size: 1.8 acres



DENVER

Denver's downtown parks form a **system** to celebrate and activate the outdoor environment and contribute to an **economically thriving** place.

Total Downtown Park Acreage: 108.7 acres

Downtown Park Density: 5.7 acres per 1,000 people

Average Downtown Park Size: 7.7 acres



SACRAMENTO

Capitol Park in Sacramento is a 34-acre **botanic garden and community park** next to Sacramento's main employment center.

Total Downtown Park Acreage: 91.6 acres

Downtown Park Density: 4.3 acres per 1,000 people

Average Downtown Park Size: 5.73 acres



LAS VEGAS

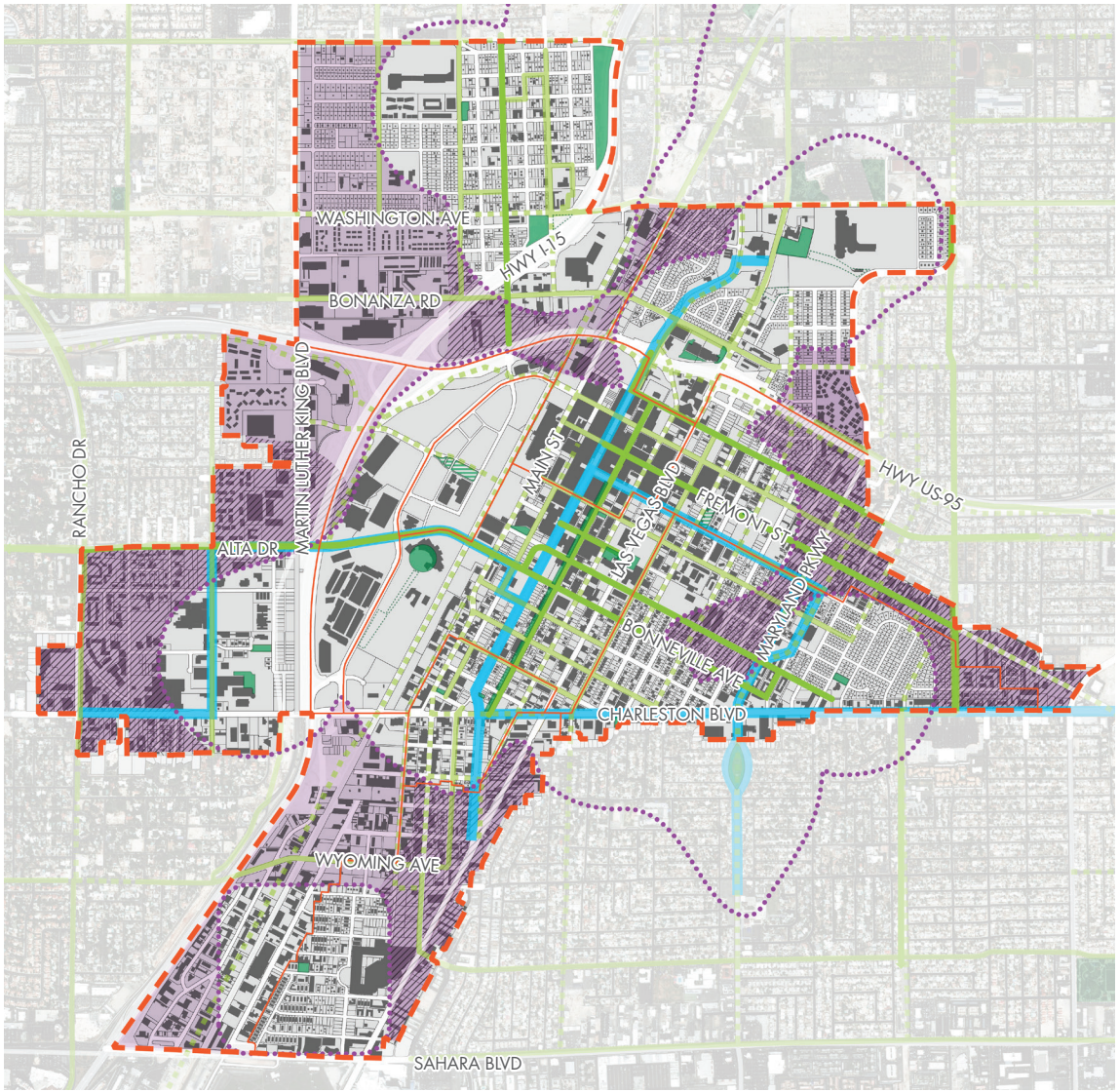
Symphony Park is a 1.9-acre **urban park** featuring outdoor event space and managed under a **public private partnership.**

Total Downtown Park Acreage: 38.4 acres

Downtown Park Density: 1.7 acres per 1,000 people

Average Downtown Park Size: 3.2 acres

NEEDS ASSESSMENT



Area **outside** walkable distance to a park

Area **outside** walkable distance to park, but **inside** walkable distance to trail connection

Existing Parks

Existing Trails

Proposed Trails

Proposed Transit

1/4 Mile Park Walkability Buffer

Highways & Major Thoroughfares

District Boundary

Study Boundary

Scale: 1" = 3,000'

0 ft 1,500 3,000

GAP ANALYSIS

The gap analysis map is a tool used to geospatially determine which districts of the downtown are recreationally under-served. The purple color shown are areas **not** within a walkable distance (5 minutes or 1/4 mile) to an existing downtown park or open space. A gap analysis allows the project team to identify areas that are under-served by the current park system in order to plan for additional parks and open space.

Note that while some districts may appear to have adequate parks and open spaces the quality and safety of these facilities may prohibit people from using them.

TREE SHADE COVERAGE

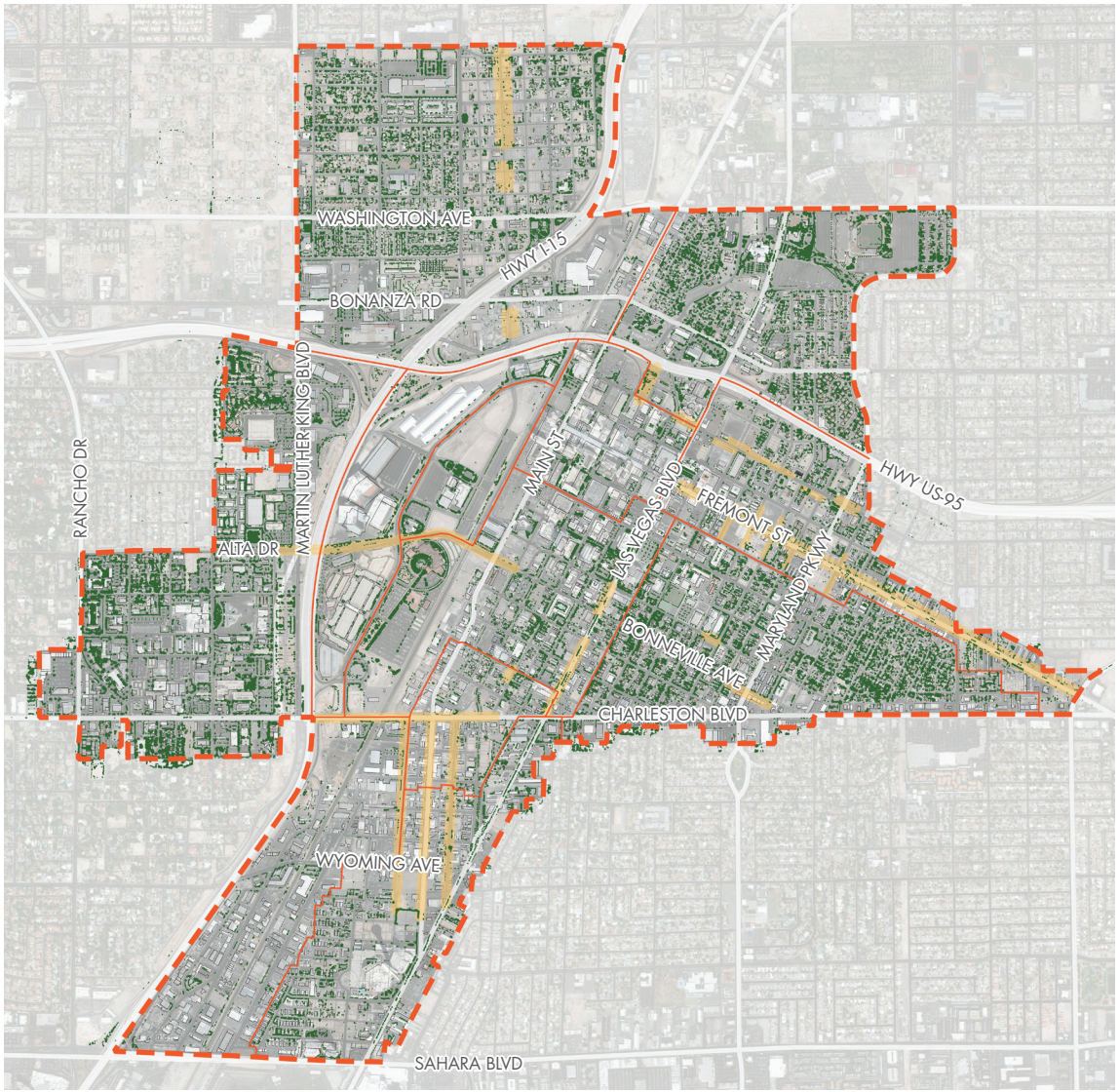
Tree canopy looks at the percentage of an urban environment that is shaded by trees. In desert climates this is an important part of ensuring the comfort of public space users year round. Tree plantings will focus on streetscapes to provide adequate shade while accommodating water conservation. The assessment highlights key corridors that are lacking in adequate tree coverage, many of which overlap with existing or potential trail networks.

15% ACHIEVABLE CANOPY COVERAGE FOR DESERT CITIES



12.9% CITY OF LAS VEGAS

6.3% Downtown Las Vegas



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REMEMBRANCE
WALL



CHAPTER 3
SYSTEM-WIDE RECOMMENDATIONS

OVERALL PARKS & OPEN SPACE OPPORTUNITIES

In the Vision 2045 Downtown Las Vegas Master Plan the downtown area is envisioned as a greener destination – a place with more shade and a pleasant outdoor environment. Based on the park and open space assessment, this chapter identifies site opportunities and improvement recommendations to enhance the downtown open space experience as an integrated system. The recommendations include existing public space renovations and future urban parks. This chapter also:

- Identifies the social and economic value to improve parks and public open spaces.
- Incorporates key findings from public meeting input or other planning efforts.
- Aligns improvement to the cultural or historic character of the districts.
- Highlights specific components to address community needs and concerns.



PARKS AND OPEN SPACE CREATING ECONOMIC VALUE

Millions of people benefit directly from local parks and recreation agencies and the facilities they manage. With programmed open space to exercise and social gathering spaces to meet friends and family, public parks add significant value to the community in promoting health and wellness and social equity. In addition, parks and recreation facilities bring momentum to economic growth in their communities. National Recreation and Park Association (NRPA), a leading non-profit organization dedicated to public parks and facilities, found a strong relationship between public parks and local economy. The U.S. census bureau reports local park and recreation agencies generated more than $154 billion in economic activity and more than 1.1 million jobs in 2015. The state of Nevada creates more than 11,000 jobs associated with parks and recreation agencies, and it has contributed over $480 million in labor income. Park and recreation facilities are becoming a critical factor in establishing a city as a vibrant and prosperous place. These park and recreation facilities also generate other economic benefits beyond spending, including:

- **Economic Development:** Parks and recreation improves the quality of life in communities and benefits the local economic development of a region. A recent survey in Area Development magazine notes that three-quarters of corporate executives rate quality-of-life features as important factors when choosing a location for a headquarters, factory or other company facility. Creation of a tax increment financing district (TIF) or business improvement district would also help in funding local parks and facilities.

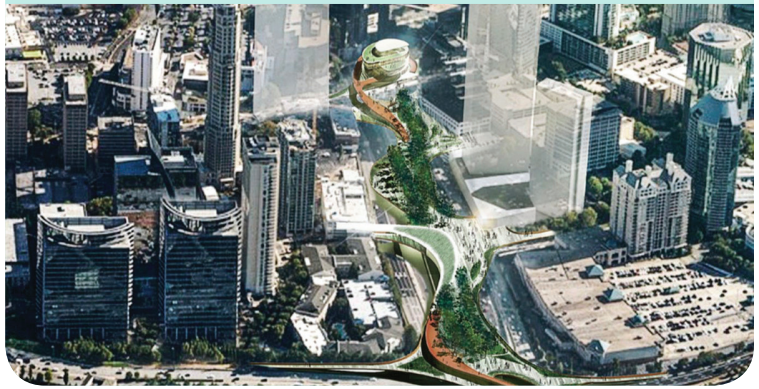
OVERALL PARKS & OPEN SPACE OPPORTUNITIES

- **Visitor Spending:** Many local park and recreation agency amenities spur tourism to their respective locales, generating significant economic activity, including (but not limited to) increased sales at local restaurants/bars and hotels. The August 2017 NRPA Park Pulse poll found that park and recreation amenities—such as beaches, parks, trails and relaxing places—are important to people when choosing a vacation destination.
- **Health and Wellness:** Parks and recreation promotes improved physical and mental health. This not only helps people feel better, but can also help lower medical and insurance costs for those people taking advantage of park and open space facilities and activities. Three in five respondents to the November 2017 NRPA Park Pulse poll indicate they would take up walking or jogging in local parks, trails or around their neighborhoods if advised by their doctors to be more physically active.
- **Conservation and Resiliency:** Park and recreation agencies' protection of land, water, trees, open spaces and wildlife improves air and water quality in communities. Through effective land management methods and green infrastructure investments, parks and recreation make communities more resilient to natural disasters, reducing disaster recovery and insurance costs. Eighty-seven percent of respondents to the 2017 NRPA Americans' Engagement with Parks Survey agree that their local government and local park and recreation agency should make the needed investments to ensure their communities are more resilient to natural disasters.
- **Property Values:** Economic research has demonstrated consistently that homes and properties located near parkland have higher values than those farther away. Higher home values not only benefit the owners of these properties, but also add to the tax base of local governments. Eighty-five percent of respondents to the 2017 NRPA Americans' Engagement with Parks Survey seek high-quality park and recreation amenities when they are choosing a place to live.

CASE STUDY:
BUCKHEAD PARK
ATLANTA, GA

Partnered with a **Business Improvement District** *or* **Community Improvement District** *to advocate for and champion a funding strategy*

- 5.6 : 1 ratio of jobs to residents in Buckhead CID. A significant job center.
- Attracted 32.2 million annual visitors to Buckhead attractions including the park space. Also generated 2 million overnight guests annually in Buckhead hotels.



CONSTRUCTION AND MAINTENANCE COSTS

Las Vegas aims to create quality parks in a well-maintained and connected downtown open space system. Studies reveal that urban parks attract more users following improvements or renovation. Studies also indicate that successful downtown parks stimulate retail and commercial development adjacent to the park sites. During the master planning efforts, many meeting attendees and respondents expressed the importance of operating and maintaining parks at a high standard as the parks age over time. The City of Las Vegas allocates significant resources in supporting new park construction, park operation and maintenance, and renovation. Funding resources from the city are limited, therefore additional resources are needed to address the long term operation costs and the need for new parks and amenities. A sustainable funding and operations strategy must be identified to maintain park resources at a high level. The goal of this section is to address:

- **Identification of park activity levels (high-activity, moderate activity/programs, and low activity/programs) and associated construction costs.**
- **Description of the amenities and programs each park activity level could provide.**
- **Estimation of the operation and maintenance costs for the different levels of parks.**

A high-activity urban park typically has more specialized facilities and programs to support a desired level of urban outdoor use. These include large park structures that incorporate both indoor and outdoor active uses, shaded social spaces, large hardscape plazas for gathering and special events, large water features, viewing decks, large play areas for children, loop trails, and specialized paving to celebrate local culture and history. This type of urban park is typically located in a high density, heavily traveled area. The exhibits on pages 43 - 44 illustrate an example of a high-activity urban park in St. Louis, Missouri. The construction cost for this **3-acre** urban park was **$22,150,000**, or approximately **$7.4M per acre**.

A moderate-activity urban park provides a balance between facilities and construction cost. It supports a wide range of recreation uses that promote a healthy lifestyle for downtown communities. These include cafés and smaller parkitecture, walking and other moderate intensity activities, lawns, shade structures, playgrounds, and some water features. The exhibits on pages 45 – 46 illustrate an example of a moderate-activity urban park in Boston, Massachusetts. The construction cost for this **4.7-acre** park was **$12,300,000**, or approximately **$2.6M per acre.**

A low-activity urban park provides the most cost-efficient facilities and passive programs. It supports basic needs of urban outdoor activities, including lawns for sitting and viewing, small playgrounds, plazas, and limited hardscape areas. The exhibits on pages 47 – 48 illustrate an example of a low-activity urban park in Minneapolis, Minnesota. The construction cost for this **7.5-acre** passive park was **$3,500,000**, or approximately **$480K per acre.**

Cost of park elements*:

- Lawn = **$4 - $14** per square foot
- Garden = **$11 - $18** per square foot
- Plaza = **$46 - $115** per square foot

*includes elements such as site furnishings, lighting, and signage

CONSTRUCTION AND MAINTENANCE COSTS



Quick Facts:

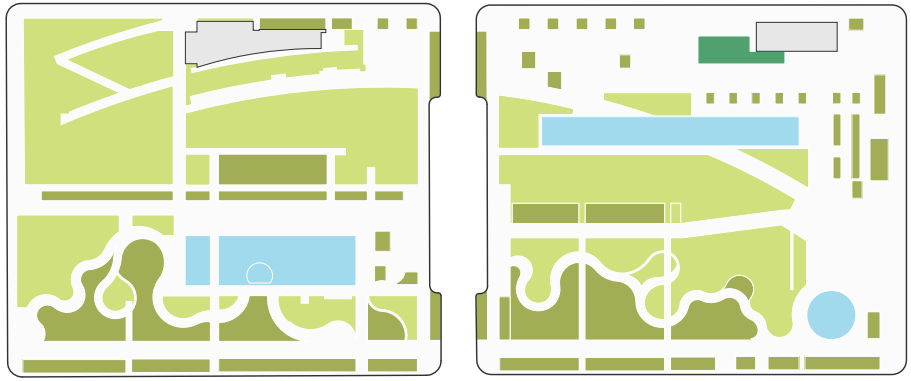
Total Cost: **$22,150,000**

Size: **3 acres**

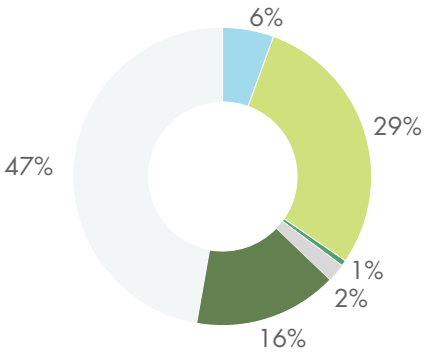
Cost per Acre: **$7.4M/ac**

Cost per Sq/Ft: **$170/sf**

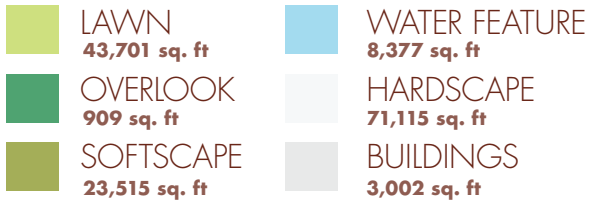
Year Constructed: **2008 - 2009**



Site Plan (N.T.S)



Site Percentages



Site Element Legend

EXAMPLE OF A HIGH-ACTIVITY URBAN PARK

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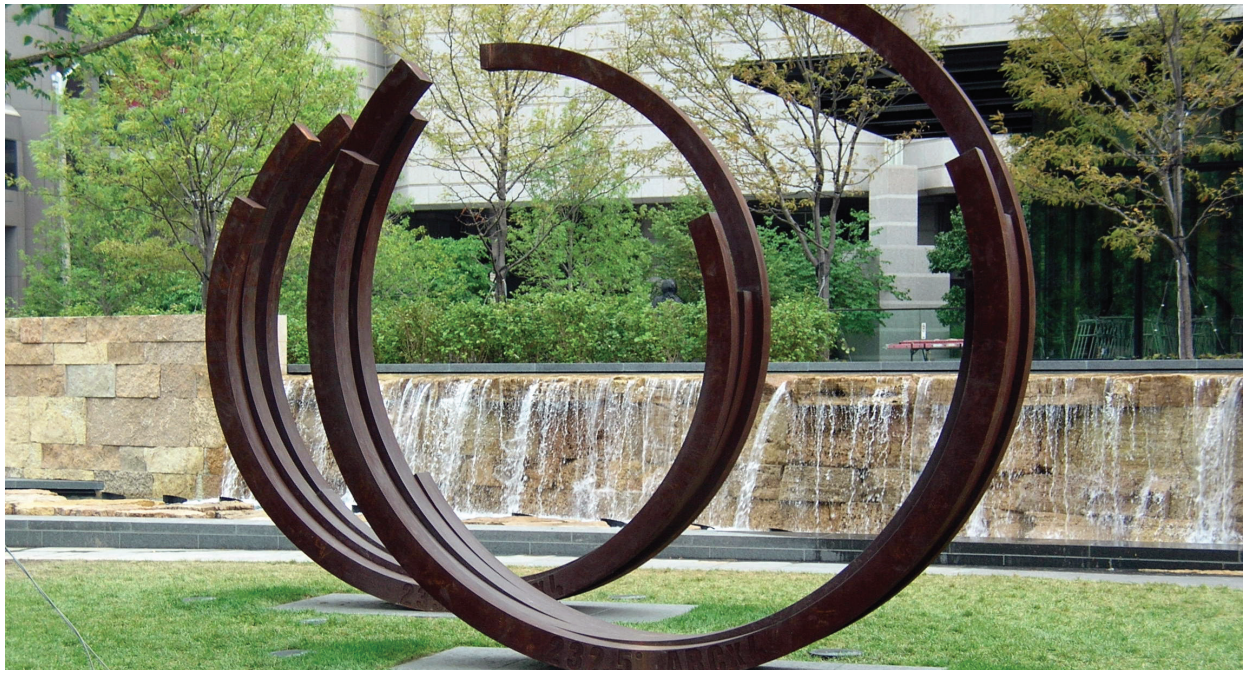
CONSTRUCTION AND MAINTENANCE COSTS









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EXAMPLE OF A HIGH-ACTIVITY URBAN PARK

CONSTRUCTION AND MAINTENANCE COSTS



Quick Facts:

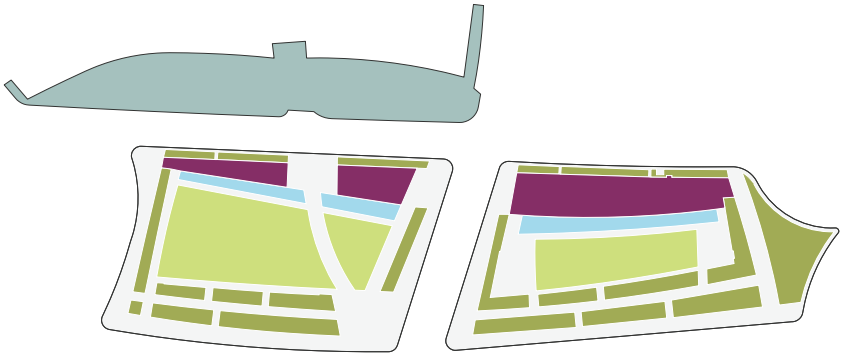
Total Cost: **$12,300,000**

Size: **4.7 acres**

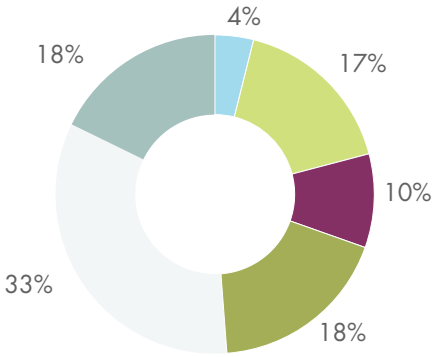
Cost per Acre: **$2.6M/ac**

Cost per Sq/Ft: **$60/sf**

Year Constructed: **2008**



Site Plan (N.T.S)



Site Percentages

LAWN
25,618 sq. ft

PLAZA
14,330 sq. ft

SOFTSCAPE
27,718 sq. ft

HARDSCAPE
50,383 sq. ft

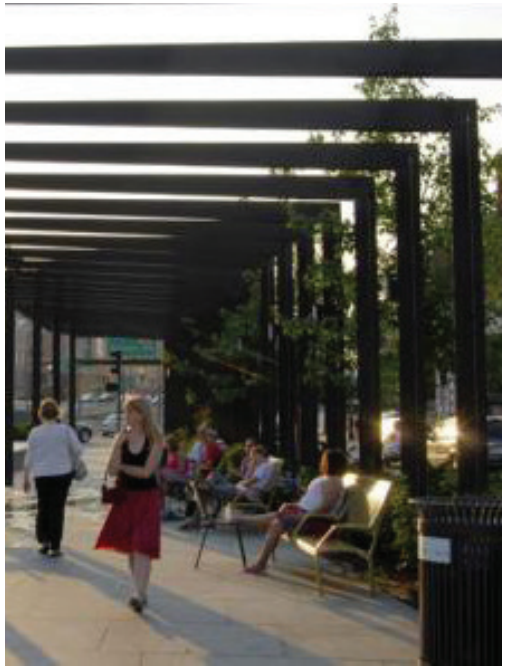
WATER FEATURE
5,891 sq. ft

SIDEWALK
26,785 sq. ft

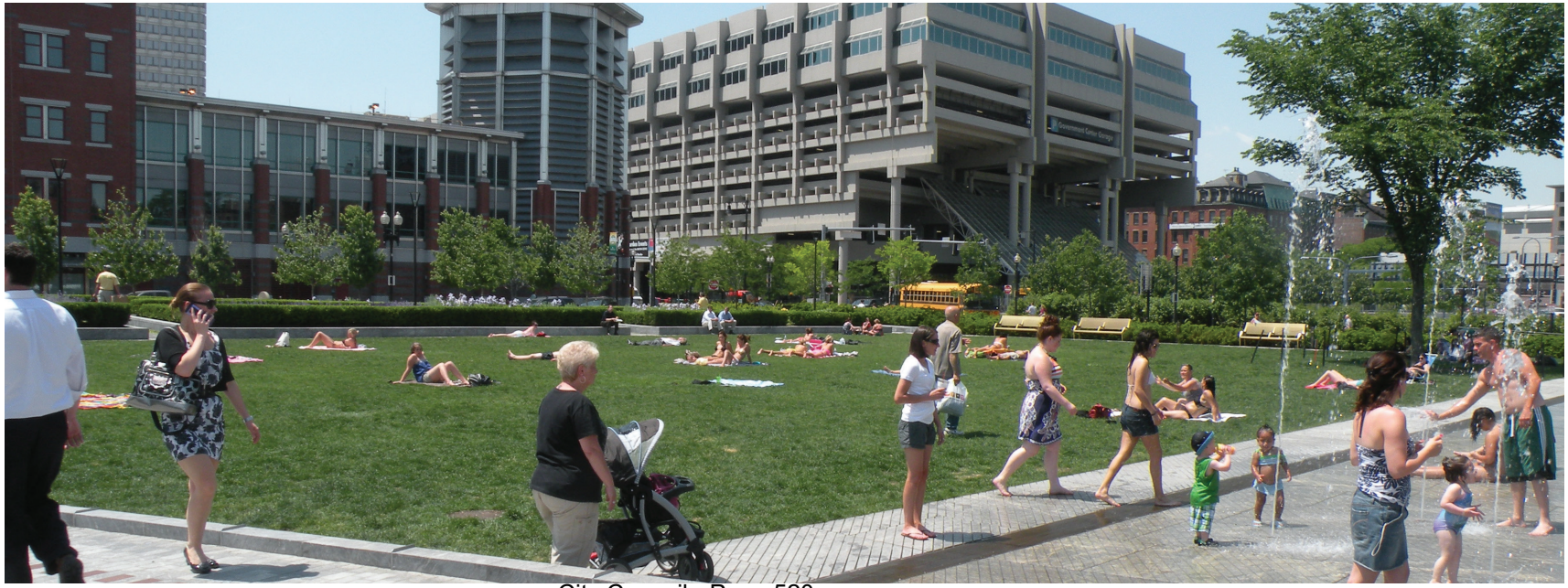
Site Element Legend

EXAMPLE OF A MODERATE-ACTIVITY URBAN PARK

CONSTRUCTION AND MAINTENANCE COSTS







EXAMPLE OF A MODERATE-ACTIVITY URBAN PARK

CONSTRUCTION AND MAINTENANCE COSTS



Quick Facts:

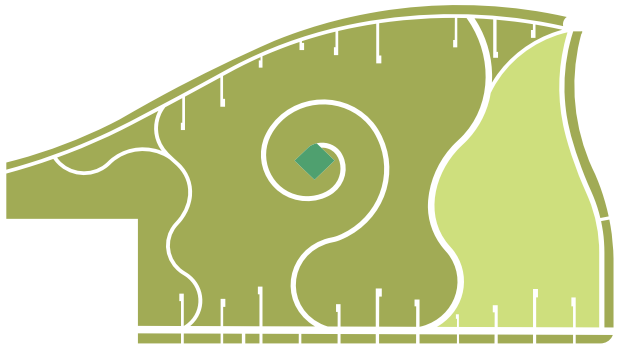
Total Cost: **$12,300,000**

Size: **4.7 acres**

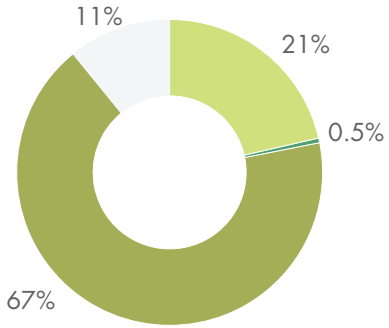
Cost per Acre: **$2.6M/ac**

Cost per Sq/Ft: **$60/sf**

Year Constructed: **2008**



Site Plan (N.T.S)



Site Percentages



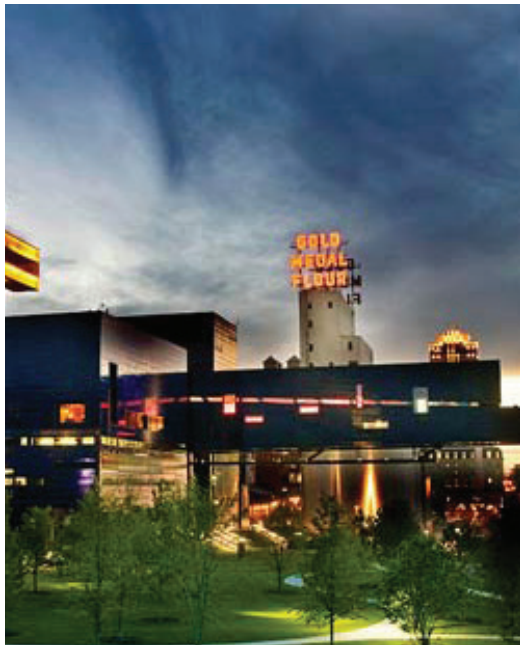
Site Element Legend

EXAMPLE OF A LOW-ACTIVITY URBAN PARK

CONSTRUCTION AND MAINTENANCE COSTS









EXAMPLE OF A LOW-ACTIVITY URBAN PARK

CONSTRUCTION AND MAINTENANCE COSTS

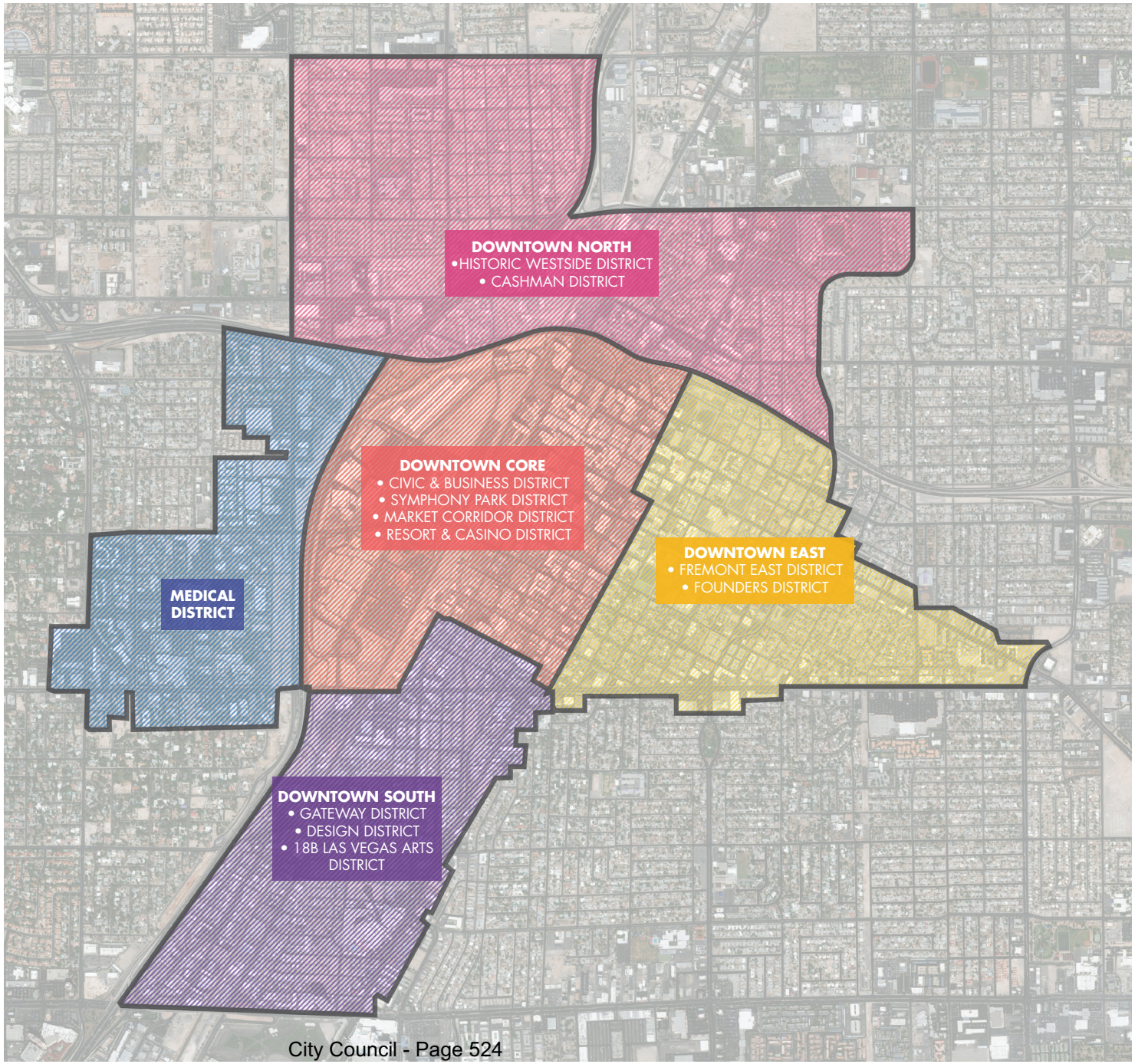
Based on each urban park type and programs, below is a summary of construction and maintenance costs estimates on a per acre basis.

URBAN PARK CONSTRUCTION AND MAINTENANCE COSTS SUMMARY

PARK TYPE	TYPICAL USES	CONSTRUCTION COSTS PER ACRE (COSTS PER SQUARE FOOT)	ANNUAL MAINTENANCE COSTS PER ACRE (COSTS PER SQUARE FOOT)
High-activity	Large park structures, shaded social spaces, large hardscape plazas, large water features, viewing decks, large children's play areas, loop trails, and specialized pavement.	$3M - $7.5M / acre ($68 - $160 / square foot)	$36,500 per acre/year ($0.83 per square feet / year)
Moderate-activity	Smaller parkitecture, walking and other moderate intensity activities, lawns, shade structures, playgrounds, and limited water features.	$1.5M - $2.5M / acre ($30 - $58 / square foot)	$25,500 per acre/year ($0.58 per square feet / year)
Low-activity	Lawns for sitting and viewing, small playgrounds, plazas, and limited hardscape area.	$400K - $1.0M / acre ($9 - $24 / square foot)	$14,500 per acre/year ($0.31 per square feet / year)

OVERALL PARK SYSTEM OPPORTUNITIES

While the study team assessed each individual parkland, we identified overall open space and trail opportunities within a consistent green network. Hence in this planning study we establish five subareas by combining culturally or geographically related districts together.



DOWNTOWN SUBAREAS

DOWNTOWN CHARACTER

DOWNTOWN CORE

The Downtown Core includes the Civic and Business district, Resort and Casino district, and Symphony district. These districts have a mix of distinctive zones, each with unique history and strong character. The zoned land uses in these areas are government facilities, retail businesses, and professional offices.

Civic and Business District

The Civic and Business district is the employment hub for residents within and outside the downtown area. Development opportunities from the downtown Vision 2045 Plan include "to add density to the area and promote compact transit-oriented development surrounding the City Hall and Bonneville Transit Center". This can be achieved by developing infill projects on vacant parcels and blighted properties to promote diverse housing and office space.

Resort and Casino District

The Resort and Casino district is the City's original gaming center and still has a number of classic Las Vegas casino resorts today. The district serves as the entertainment center for Downtown Las Vegas, with both indoor and outdoor spaces for music and art venues, social gathering, and hospitality. The City has identified multiple development goals to enhance the district's character and the needs for Downtown. To achieve these goals the City should be seeking infill projects to accommodate the increasing need for hospitality and office space.

Symphony District

With the goal of bringing a 61-acre quality urban living environment to Las Vegas, the City of Las Vegas has partnered with developers to propose a mixed-use urban area, with each block to be densely developed to achieve a critical mass of residents and visitors with a compact downtown character. Currently, the Symphony district includes the Smith Center, Symphony Park, and Children's Museum and will have retail and high- and mid-rise residential development in the future. A modern art museum would contribute to the existing character of the district as the symbol of art in Las Vegas.

Adjacent to Symphony Park, is the Market Corridor district that includes the World Market Center and Las Vegas Premium Outlets. The Market Corridor district attracts visitors and convention attendees from all over the world.



First Street Gallery



The Neon sign from downtown Casino



Symphony Park and Smith Center

DOWNTOWN CHARACTER



Westside School and Interpretive Board on Pioneer Trail



Aerial of Cashman Center Facility

DOWNTOWN NORTH

Downtown North includes the Historic Westside and Cashman districts that represent cultural and community significance to the city of Las Vegas. Both districts are located north of Highway 95 and Interstate 515, with arterial roadways connecting to the downtown core area. The freeway creates a barrier leading to challenges with trail and pedestrian connectivity for residents, especially when 40 percent of the population does not own a vehicle. With a population of approximately 7,000, both districts lack open space for social and recreational uses. The community in Historic Westside share only 0.65-acres of parkland per 1,000 people, while the Cashman district has only 1.28 acres of parkland among 1,000 people.

Historic Westside District

The Historic Westside district witnessed the early settlement and evolution of downtown Las Vegas. It's a unique neighborhood separated by development of surrounding freeways over time. Historically as an African American community, the district thrived in the 1950s and 60s along with the casino and entertainment industry. The Moulin Rouge on Bonanza Road was the first integrated hotel and casino in the city of Las Vegas as well as the United States. Historic churches, businesses and nightclubs can be still be seen on the route of the Pioneer Trail today. Changes in the economy, poverty and land vacancy have created substantial challenges for the community. In 2016, UNLV Downtown Design Center studied the area and created the HUNDRED (Historic Urban Neighborhood Design Redevelopment) plan. One of the plan's overall visions is to bring back the community with historic character in the form of urban fabrics, arts and outdoor activities. This could be achieved with a series of small, incremental open space and trail improvements at key locations. To establish a livable outdoor space with themes and character that represents the district, the City should seek additional park space that is accessible to all community members. This park will help improve economic conditions with planned social gathering spaces and activities to aid in the future success of the entire district.

Cashman District

The Cashman district is home of Cashman Field, a mixed-use stadium that is primarily used for soccer. Historically it was the baseball field and home of the Minor League Baseball team Las Vegas 51s and now houses the Las Vegas Lights soccer team. Adjacent to the field is the Cashman Center facility that has been permanently closed and the City is seeking redevelopment options. Apart from its strong sports recreation character, the district also represents the culture and history of old Las Vegas. Located near North Las Vegas Boulevard, the Neon Museum has a collection and features signs from old casinos and motels in downtown Las Vegas. These neon signs are considered both historically

DOWNTOWN CHARACTER

and culturally significant to the city. The 3.87-acre Heritage park serves as the only neighborhood park in the Cashman district.

Community parks or active recreation space should be introduced during the redevelopment process to address the lack of park space to better serve downtown park users. Parks and open space in this district could be themed with neon character. Trail improvements should incorporate lighting and signage in an artistic way. Opportunities at Heritage park include adding more active facilities and better access for the community through a trail and wayfinding system.

DOWNTOWN SOUTH

Downtown South is located between the Downtown Core and the Strip, serving as a southern gateway to the downtown area. The area is zoned primarily for light industrial, mixed-use, and commercial use. Largely due to the non-residential zoning of the area, the districts have a limited number of residents, with 91% of the study area's residents living within the Gateway district.

18b Las Vegas Arts District

The 18b Las Vegas Arts district is directly south of the Downtown Core and is characterized by art galleries, local stores, and artist residents and hosts art-related events such as the monthly First Friday art showcase. The City has identified the district as a key growth area and has outlined strategies to invest in vacant and underutilized land, that could include additional community park space, increased affordable housing, creative office space, and civic and institutional uses.

Gateway District

Home of the Stratosphere Tower, the Gateway district is often associated with the Strip, although much of residential areas surrounding the attraction are blighted and vacant. The district has a population of over 3,000 people and the City has proposed infill housing, community amenities, streetscape improvements, and rebranding efforts to reinforce the area as the southern gateway to downtown. Some of the district's goals include improving walkability to provide access to several transit modes with an extended high-capacity transit line along Las Vegas Blvd, accompanied with transit-oriented development to increase density.

Design District

The Design district currently has no population data due to its current utilitarian uses, but the area provides a large employment base for businesses servicing both the entertainment industry and municipal needs. With many people commuting to the area for work, public/private outdoor spaces should be made available to employees. Vacant and declining properties can be used as temporary open spaces for outdoor relaxation and social gathering. The Union Pacific Railroad corridor runs through the length of the district. There is potential for long-term redevelopment of the corridor with a linear park and multi-use path to encourage the reuse of buildings and parcels in the district, while connecting to the Downtown Core.

MEDICAL DISTRICT

The Medical district is the existing healthcare and office hub for the City and is identified as a key growth area. Current institutions in the area are the University Medical Center, Valley Hospital Medical Center, Horizon Specialty Hospital, the UNLV School of Dental Medicine, and the Las Vegas Metropolitan Police Department.

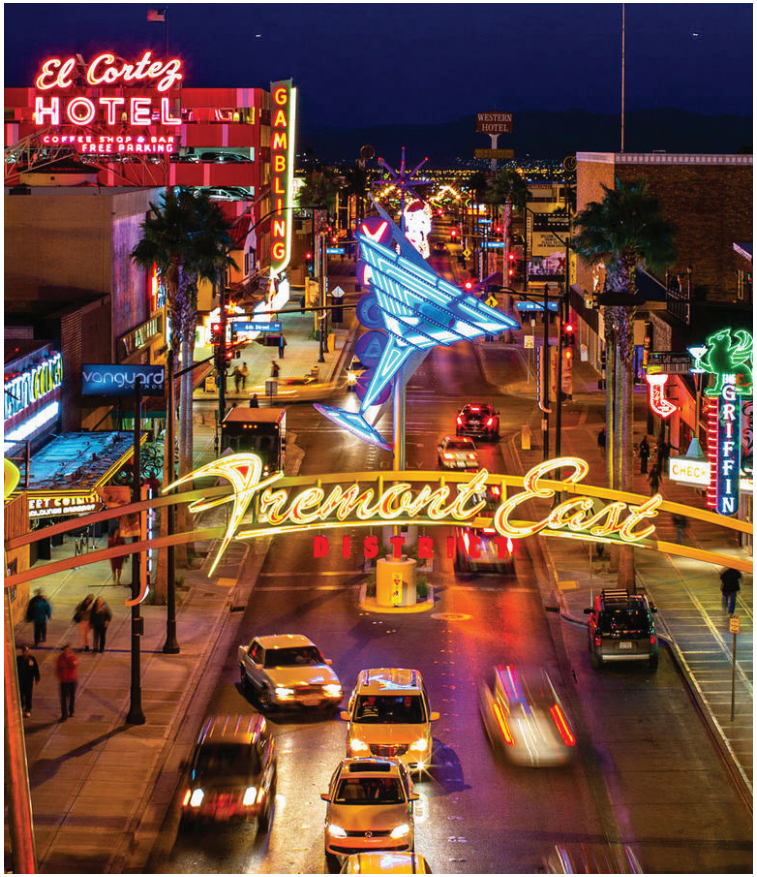
With the goal to establish the Medical district as a driving force in the downtown economy and as a top center for

List of 18b Las Vegas Arts District events:

- First Friday
- Main Street Art Walk
- Dark Arts Market
- Preview Thursday at the Arts Factory and Art Square
- Art Fair

DOWNTOWN CHARACTER





Fremont Street Corridor

healthcare and research in southern Nevada, the Vision 2045 Plan proposes several large-scale development projects with the goal of bringing in a more educated population that lives, studies, and works in downtown Las Vegas. Included in the plan is 19,000 gross square feet of development including mixed-use development on major streets, bringing in convenient transit, green linkages, and bike trails/bike share stations. The City proposes to expand the multi-modal transit along Martin Luther King Boulevard, Rancho Drive, and between the district and the downtown core—this presents an opportunity to create better connections into the Medical district through an expanded trail network.

DOWNTOWN EAST

The Fremont East and Founders districts are located to the east of the Downtown Core. Both districts have a large residential community and are mainly zoned for mixed-use development and commercial, as well as a small amount of low- and medium low- density residential use. Together, the Downtown East have the largest residential population of the downtown study zones.

Fremont East District

The Fremont East district is the home of Las Vegas' historic main street which bisects the area and has distinctive neon signs and a lively night scene. In recent years, a new mix of restaurants, bars, and clubs have sprung up along Fremont Street to accompany the existing historic casinos and hotels. Other businesses along the corridor have been revitalized in recent years—including the Downtown Container Park and other music event spaces to provide entertainment for all age levels. According to the Vision 2045 Plan, "Fremont East has gained residents and shops through its popularity due to its proximity to the Resort and Casino district but is in need of a more pedestrian friendly atmosphere for continued success and growth." One way to achieve this goal is to provide a central activity hub with services and amenities for the community. The Fremont East district has an increasing population and the majority of the area is outside of a walkable distance to a park, furthering the need for a central activity hub.

In 2018 the Project Enchilada started as part of the downtown revitalization effort. The project envisions Fremont Street between Las Vegas Boulevard and 14th Street as a pilot movement with highlights of attractive streetscape, restored neon signage, and retail development. The project essentially aims to enhance the idea of a 'greener downtown'.

DOWNTOWN CHARACTER

Founders District

The Founders district has the largest population of any of the downtown areas, and mainly serves as a historic residential neighborhood. As stated in the Vision 2045 Plan, the City plans to establish development standards in the district in order to preserve its historic aspects. Such opportunity includes mixed-use mid- and high-rise housing, retail and office space, a community center, and a multi-modal transit station.

The Fremont East and Founders districts are both subject to economic influence from the private sector, as both move toward higher density mixed-use development with ground floor services. Public-private partnerships will play an important role in improving the open space within the district. The development of parks and open space in the Downtown East is focused more on the existing community. While the two districts both have unique characteristics and development goals, improvements to the trails and wayfinding systems will tie them together.



Life is Beautiful Mural Painting in 2018

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OVERALL PARK SYSTEM RECOMMENDATIONS



Park design and review process



Partner with developers and community organizations



Cultural features for downtown Vegas

OVERALL IMPROVEMENT RECOMMENDATIONS

The open space master plan identifies improvement opportunities for existing parks and for future parks based on the criteria of area distribution, access, existing condition, and programs to meet downtown community and visitors need. A list of recommended components that are shared among all parks are described below. Specialized items that are unique to each park are noted in the area and site specific recommendations.

- **Acquire park land from private ownership:** Several of the recommendations within this plan would require the City to acquire land for new park development. The city of Las Vegas has limited landholdings within the downtown area that could be converted for use as parks and open space. The locations of newly acquired land should be accessible from bikeways, trails, public transportation, and roads.
- **Park conceptual and schematic design:** Opportunities such as new parks and existing parks to be expanded would go through a design process with the City. All parks undergoing this process should address safety issues in the parks and surrounding areas, promote a range of active programs, and have signage and theming that align with Vision 2045 Plan, the Signage Design Development Package, and previous district-specific master plans.
- **Partnerships with Private Developers:** Public-private partnerships are a feasible way to increase the downtown area's parklands, while addressing park distribution and access. Partnering with private developers allows the City to incorporate additional and better-quality parks in locations currently lacking sufficient park space. Additionally, partnering with private developers or a non-profit organization to maintain the park allows the City's budget for parks and open spaces to go further. It is suggested to establish on-site open space requirements for new development and the option for property owners to pay into open space fund if and when they cannot meet those requirements. Those fees could go toward open space in the same larger area as new development. The model of public-private partnerships with the City will require further investigation.
- **Identify park themes, art, and cultural features:** Park specificity is important in maintaining the unique characteristics within each of the Downtown districts. Each district has its own needs and characteristics—whether for a playground to accommodate a large resident population or an open plaza to host events in the downtown core. Each of these cultural aspects studied should align with the amenities and programs in each park and open space.
- **Conduct community outreach:** Conducting community outreach and participation during the design and implementation process is vital to the creation of great park and open spaces. Community members should be encouraged to provide input and suggestions on their expectations for future parks. Volunteering in the park is another way to create community ownership and pride of the place.

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OVERALL PARK SYSTEM RECOMMENDATIONS

- **Shade trees:** Shaded areas are critical in attracting park users and extending outdoor time. They improve the comfort and health of users and increase the overall use of outdoor public space. Large, broad-leaf trees at play, seating, and hardscape gathering areas will ensure a pleasant experience for all park activities. Consider a tree palette specific to each district to foster its unique character and a sense of place when arriving.
- **Functional public art:** Art can be incorporated through functional uses, such as sculptures that also function as bicycle racks, workout equipment, or seating areas. This can be used to simultaneously increase the aesthetics of open spaces while creating usable spaces.
- **Play features:** Play features should be incorporated in parks in areas with higher resident populations or projected population increase. These play structures should include overhead shade canopies to maintain the usability of the equipment year-round. Play feature types include typical playground structures currently found in the downtown area, nature play areas, and water play. The play features should accommodate for a range of children ages.
- **Enhanced seating and social gathering space:** Small spaces shaded by structures could create pleasant resting areas for park users during hot weather. Hardscape plazas provide a dual function for group gatherings during formal events and informal activities. Plaza designs should include pavement, lighting, other necessary structures and feature local history and/or natural character.
- **Entry monuments and parking areas:** Entry monuments would highlight the history of downtown Las Vegas and orient people towards park spaces. Provide adequate on-street and off-street parking for both community park users and visitors. Surface parking should be constructed with sustainable and green infrastructure practices.
- **Internal walking/jogging paths and trails:** Parks and opens spaces with walking/jogging paths increase a parks usage substantially and park users engage in more physical activity when paths are available. Accessible trails within parks promotes a healthy lifestyle and can be incorporated with other park amenities such as outdoor fitness equipment, play features, and educational signage. The materiality of the path or trail can be either paved concrete or a natural material application. Paths also have the ability to increase family and multi-generational interaction due the flexibility of use.
- **Sports courts:** The downtown area has limited access to sport courts. Uses such as skate parks and full-size basketball courts that are open to the public would be viable options for non-traditional open spaces along transportation corridors. Additional court types for tennis, pickleball, and volleyball should be incorporated in mini parks and neighborhood parks.
- **Outdoor fitness:** Providing an alternative to indoor gyms, an outdoor fitness area offers all-age groups durable fitness equipment to utilize. Typically set in clusters of 3-5 fitness pieces, this low maintenance equipment should be placed adjacent to a play area to promote a social, multi-generational component to a park.
- **Water features:** Water features are a desirable amenity given Las Vegas' desert climate. These amenities can be flexible and can range from a single fountain in the downtown core to a water play area in parks oriented for families.
- **Flexible and shared use areas:** The availability of flexible public spaces, whether a hardscape plaza or an open lawn area, are assets within an urban core. These programmable areas allow for a multitude of uses to take place and respond to changes within an urban environment. Having spaces that can be used in a variety of ways and by different user groups facilitate a lively downtown.

In the downtown open space public meetings, participants cited:

- **Safe and comfortable** public outdoor spaces
- Shared use space that can accommodate outdoor **musical and art** events
- Would walk or bike more if pedestrian walkways covers with **shade**

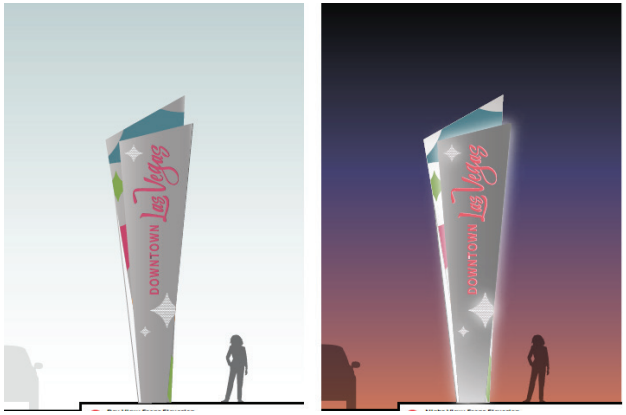
OVERALL PARK SYSTEM RECOMMENDATIONS



Outdoor fitness area



Flexible and shared use park space



Downtown Las Vegas Signage Design

- **Access to trail systems:** Connections to the regional trail system allows users to visit community parks that provide active programs and sports fields. Another trail function is to connect the residents from their neighborhoods to surrounding open spaces.
- **Signage and wayfinding system:** Building off of the Downtown Las Vegas Signage Design Development Package a system for signage and wayfinding within parks and trails should be used with consistent branding across downtown park facilities. At certain parks, special graphics added to the typical signage will enhance the park theme, cultural features and functions. Signage and wayfinding features provide clearer directional information to lead visitors traveling to a park or trail. Park entrances, trailheads or other key locations should be identified on City maps with graphical information for ease of interpretation by all users. Shared use signage can be considered to direct people to surrounding businesses with identification of restaurants, shops etc. to help with economic vitality. Application based wayfinding in the downtown area will also help visitors identify their desired destinations. The signage form and character should be identified in guidelines prior to each park's project design phase.
- **Park access to all age groups:**: Park accessibility is important to ensure that everyone can travel to and use a space. Ways of improving access to a park include assuring the wayfinding is legible for all age groups, including signage and wayfinding in multiple languages. Access into parks needs to meet current ADA standards and play features should include universally accessible design. Additionally, it is important to locate new parks near public transportation and trail networks.
- **Address safety and comfort in parks:** Downtown Las Vegas has a large number of residents experiencing homelessness. In addition to a comprehensive strategy to reduce homelessness, it is important that the City consider this when adding or renovating Downtown open space and trails. Collaborative efforts are required between the departments of Public Safety and Parks and Recreation, community members, and all park users. The City should consider design and programming options in order to improve safety and comfort for all park users. For example, adequate lighting should be placed in key areas. Shrubs and tall grasses should be prohibited at corners to provide clear visibility from the street.

OVERALL PARK SYSTEM RECOMMENDATIONS



Design best practices for a successful urban public space:

- Programed with **year-round park features** to attract local community and visitors.
- **Large open gathering space** to accommodate a wide range of activities.
- Establish a **park management organization** to renovate and operate the park on daily basis.

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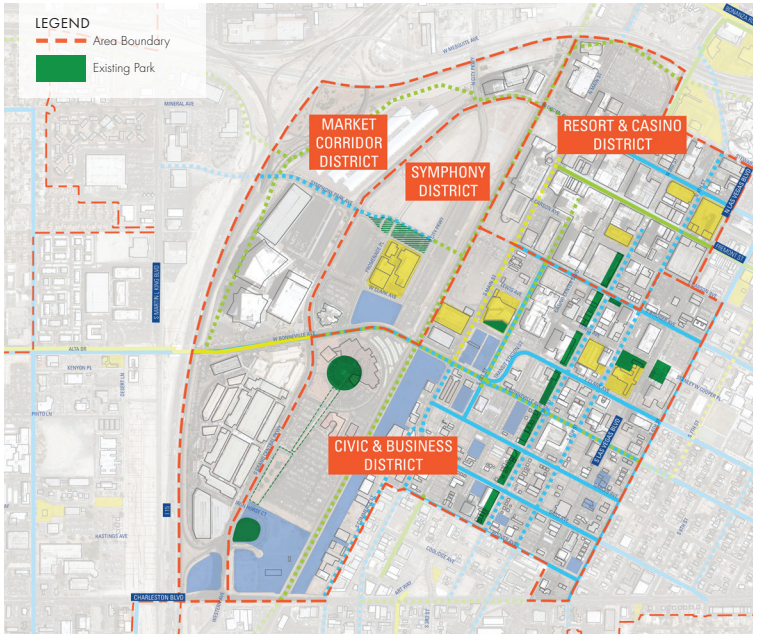
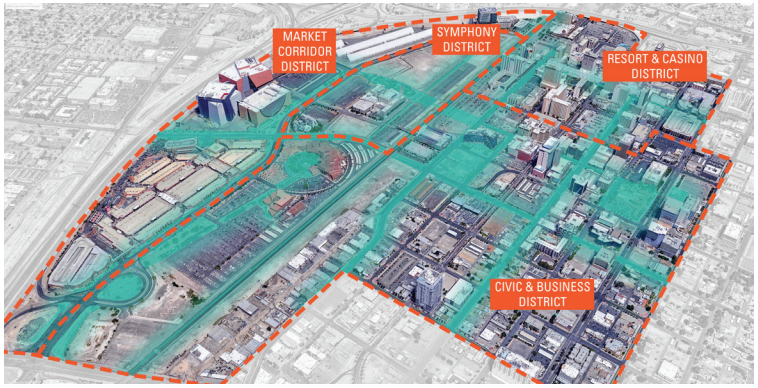
DOWNTOWN CORE





CHARACTER AND OPPORTUNITIES

A study of the Downtown Core as one system is necessary for the development of a successful parks and open space program to attract downtown community members and visitors. Although each district has its own character and development goals, improvements to the parks, open space, trails, and wayfinding systems should tie them together through consistent design. This consistency can connect people to places by integrating downtown history, art, and local landscape resources. Creating dynamic urban spaces in existing and future parks will further enhance the design concepts and engage in a variety of active and passive activities for the community and visitors.

KEY RECOMMENDATIONS

The following recommendations and opportunities should be applied to the Downtown Core and will require detailed implementation strategies in the future:

- Create a downtown central park that provides multi-purpose spaces to support public events, social gathering areas, play features, art and musical festivals, a large shaded lawn, plazas, a walking and jogging trail, and surface parking.
- Expand the bicycle network and promote existing bike share system.
- Enhance pedestrian connectivity along this key corridor with a pedestrian bridge crossing the Union Pacific Railroad to create a dynamic and walkable downtown.
- Establish a signage and wayfinding system to guide residents and visitors to parks and trails.
- Explore outdoor art venue opportunities to serve downtown occupants and visitors and build an art brand for Downtown Las Vegas.

DOWNTOWN CORE

SYMPHONY PARK

Unique among the downtown Las Vegas parks, Symphony Park is located in the center of a newly planned mixed-use development area. Symphony Park represents an example of a public/private partnership which could be applied to the development of future parks in the downtown area. Though the park is well situated within Symphony district, it lacks connectivity to downtown residents and visitors. One of the primary features of the park is a large event lawn that can host musical venues, festivals, or other public events yet the park should be reprogrammed for a variety of activities.

Through stakeholder and public outreach, participants identified that this park exemplifies quality and brings great potential. There is opportunity to expand outdoor programming, trail access, fitness, and programs to serve all age groups. There are also opportunities to improve access to the downtown area, expand parking facilities, and improve overall circulation. Signage and wayfinding systems should be improved where possible.

Park Opportunities

- **M4 Parcel Expansion:** In the original Symphony Park Master Plan, the primary organizing axis of the public space network runs east-west along the extension of the City's Lewis Street corridor. This axis consists of a collection of open spaces and a pedestrian promenade intended to establish a strong relationship to downtown Las Vegas. The M4 Parcel, initially named as "the Crossing", features opportunities such as a stepped plaza and a pedestrian bridge to cross the railroad tracks. A central plan with a seating terrace, gathering area, and water features should be designed with contemporary urban character for uses ranging from small group gatherings to community events.
- **Outdoor fitness:** Adult outdoor fitness would be appropriate in the newly planned M4 parcel plaza or integrated by reprogramming portions of the existing Symphony Park event lawn.



Symphony Park Entry Monument

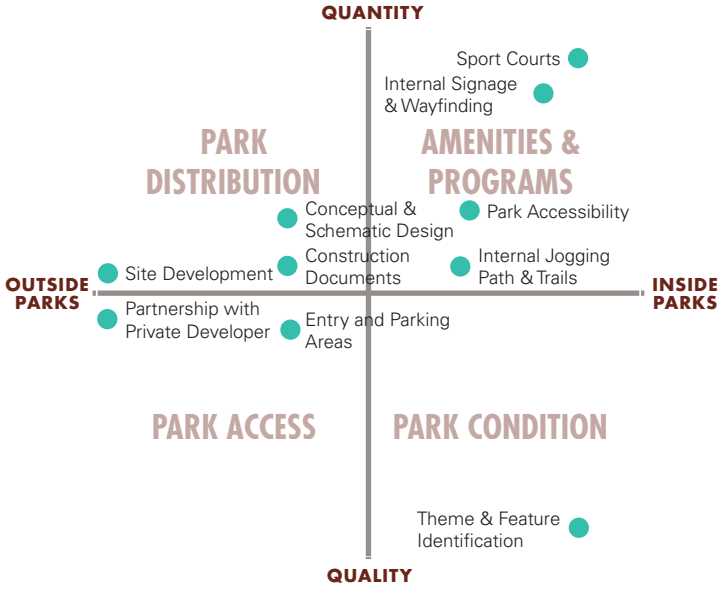


Symphony Park Plaza with Art Installation

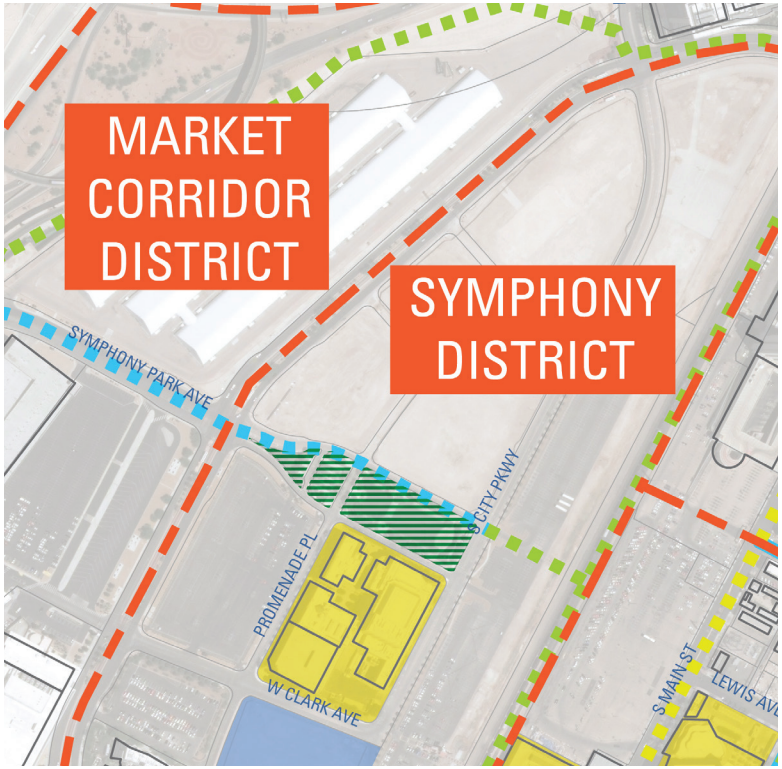


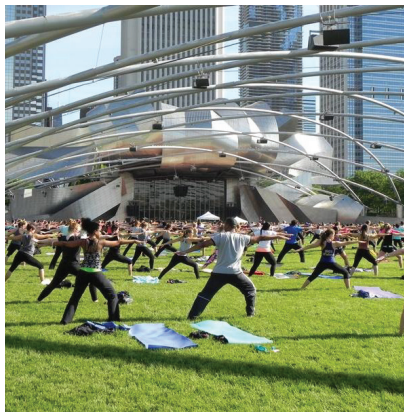
Event Lawn, Smith Center

DOWNTOWN CORE



- **Repurpose Park Space:** Public outreach participants expressed interest in a wide variety of recreational activities in parks. Providing a variety of amenities could attract users, extend their outdoor time and frequency of use. While Symphony Park was designed with the attributes of an outdoor performance and art space, the great lawn and plaza could be partially reprogrammed with activities such as outdoor fitness, shaded seating, or small active program space to enhance the park into a greater social gathering area.
- **Pedestrian Bridge:** To connect the downtown Las Vegas core to Symphony Park, a pedestrian bridge across the railroad tracks should be developed. The bridge should be designed as a multi-use corridor that allows both pedestrians and bicyclists to move from downtown to the Symphony district. The Union Pacific Railroad played an integral part in the early settlement of the American West and Las Vegas old town. The design character and components of the pedestrian bridge could reflect and celebrate this history.













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DOWNTOWN CORE

CENTENNIAL PLAZA

Centennial Plaza is an urban community hub located in the historic 5th Street School grounds and is an important cultural and historical space in the community. Opportunities to explore include repurposing the plaza space with upgraded site furnishings, lighting, shade trees, and signage features. The plaza improvements should also address ongoing issues such as safety and the impact of homelessness.

Park Opportunities

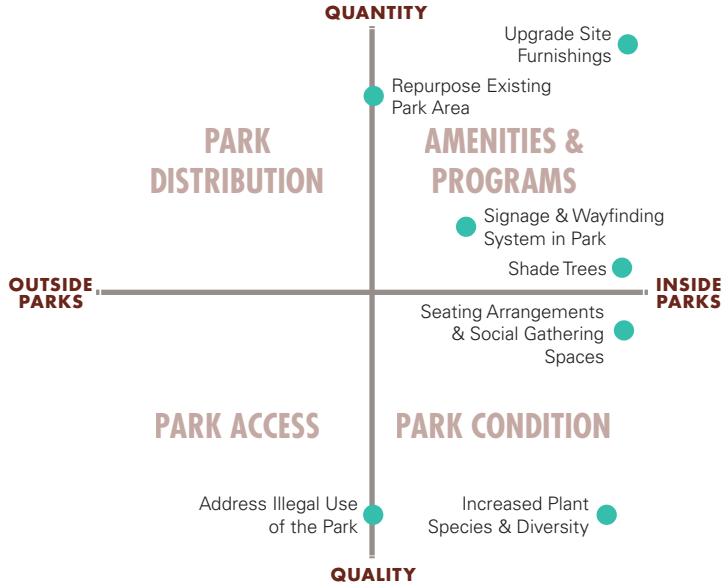
- **Reprogramming the Existing Plaza:** Replacing and renovating the existing plaza features will create better use of the space. As part of this renovation, the planters could potentially be removed to create a large, unobstructed gathering space. Located on the eastern end of the Lewis Avenue corridor, the plaza should be redesigned into a centralized activity hub, featuring elements such as play space, outdoor fitness equipment, modern chairs and tables.
- **Upgrade Site Furnishings:** The existing planter seating should be replaced with small-scale chairs and tables. Signage, informational boards, and drinking fountains should also be provided at this site.
- **Shade Trees**
- **Address the Impact of Homelessness and Illegal Activities in the Plaza**
- **Renovate the entire plaza to address safety and maintain function for cultural events**



Street view of Centennial Plaza



Benches in existing courtyard



DOWNTOWN CORE







FUTURE PARKS AND OTHER IMPROVEMENTS

DOWNTOWN CENTRAL PARK

The core area of downtown Las Vegas features a mixed development of casinos, civic and professional office space, commercial space, and residential uses. The downtown Central Park concept presents an opportunity for the City to develop its first urban central park. Given the typical daily influx of workers and visitors into the core area, park will likely attract office employees during the daytime, residents in the evening, and visitors during weekends and holidays. Depending on land price and availability, the City could acquire and develop a minimum of 1.5-acre urban park in this area. The park could be used to support public and social events such as festivals, art events, and outdoor musical events. In addition, the park could provide outdoor fitness opportunities, such as a jogging/running trail and outdoor fitness equipment. Park amenities should include benches, bike racks and storage, a bike rental station, lighting, restrooms, cafe, etc.

Park Opportunities

- **Central Plaza and Gathering Area:** A hardscape plaza with a dual function of group gatherings during formal events and informal activities. The design of the plaza should include pavement, lighting, other necessary structures and should feature local history and/or natural character.
- **Internal Loop Trail:** The development of a multi-purpose trail in the downtown Central Park serves as an important feature to downtown residents. A one-mile accessible trail will promote a healthy lifestyle by attracting all-age groups for walking and jogging and will increase family and multi-generational interaction.
- **Access to trail systems:** Link the downtown Central Park with adjacent trail networks to promote bicyclists to visit the park from their surrounding neighborhoods. The trail should also connect the park to nearby attractions within walking or biking distance. The City should consider opportunities for connecting the downtown Central Park with the sports complex via Alta Drive. The pathway material can be either hard or a durable soft-surface for recreational use.







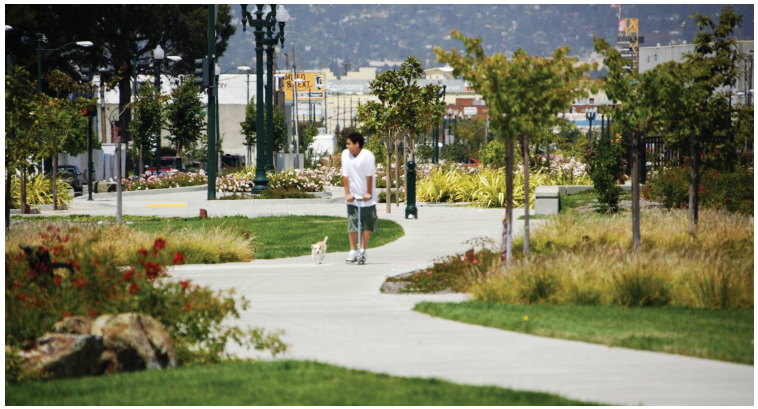
DOWNTOWN CORE

- **Implementation Strategy:** The City should consider a few potential sites based on the park assessments and recommendations, parcel availability, cost of land acquisition, and other factors. The City should conduct public outreach regarding the downtown Central Park programs and activities. When the park site has been determined and acquired, the City and a design consultant should conduct a comprehensive design and documentation process in order to create a quality urban park that best represents the past and future of downtown Las Vegas.
- **Shaded Seating and Social Space**
- **Entry Monument and Parking Areas**
- **Signage and Wayfinding System**

DOWNTOWN TRAIL AND CONNECTIVITY ENHANCEMENT

Convenience and safe travel to parks and nearby attractions requires the City to establish a well-defined trail and pedestrian system. Greater connectivity within the downtown area will lead community members to visit parks within walkable or bikeable distances and provides safe access. The development of multi-purpose trails was frequently mentioned during public outreach. Community participants suggested that trail systems should link open spaces to other downtown destinations and promote a non-vehicular healthier lifestyle.

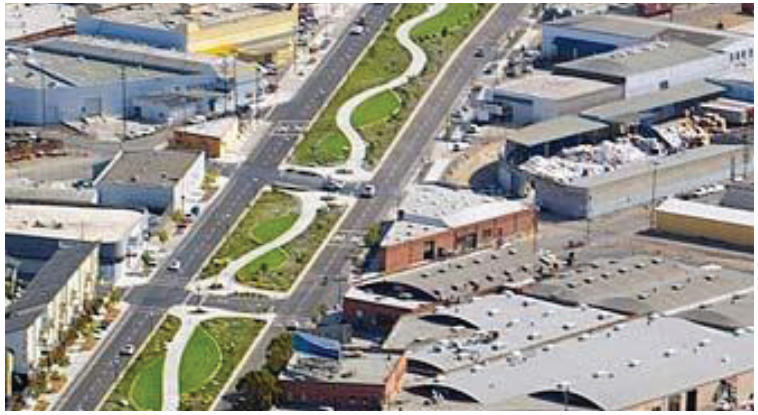
During the public outreach process shaded pedestrian corridors were also mentioned numerous times to help enhance connectivity. Comfortable walking and bicycling helps address accessibility issues to parks, open space, downtown attractions and businesses. Adequate lighting along pedestrian corridors will promote a safer walking experience. Overall, trail and pedestrian improvements can further ensure the entire network is inclusive to all age groups and abilities.



Mandela Parkway, Oakland

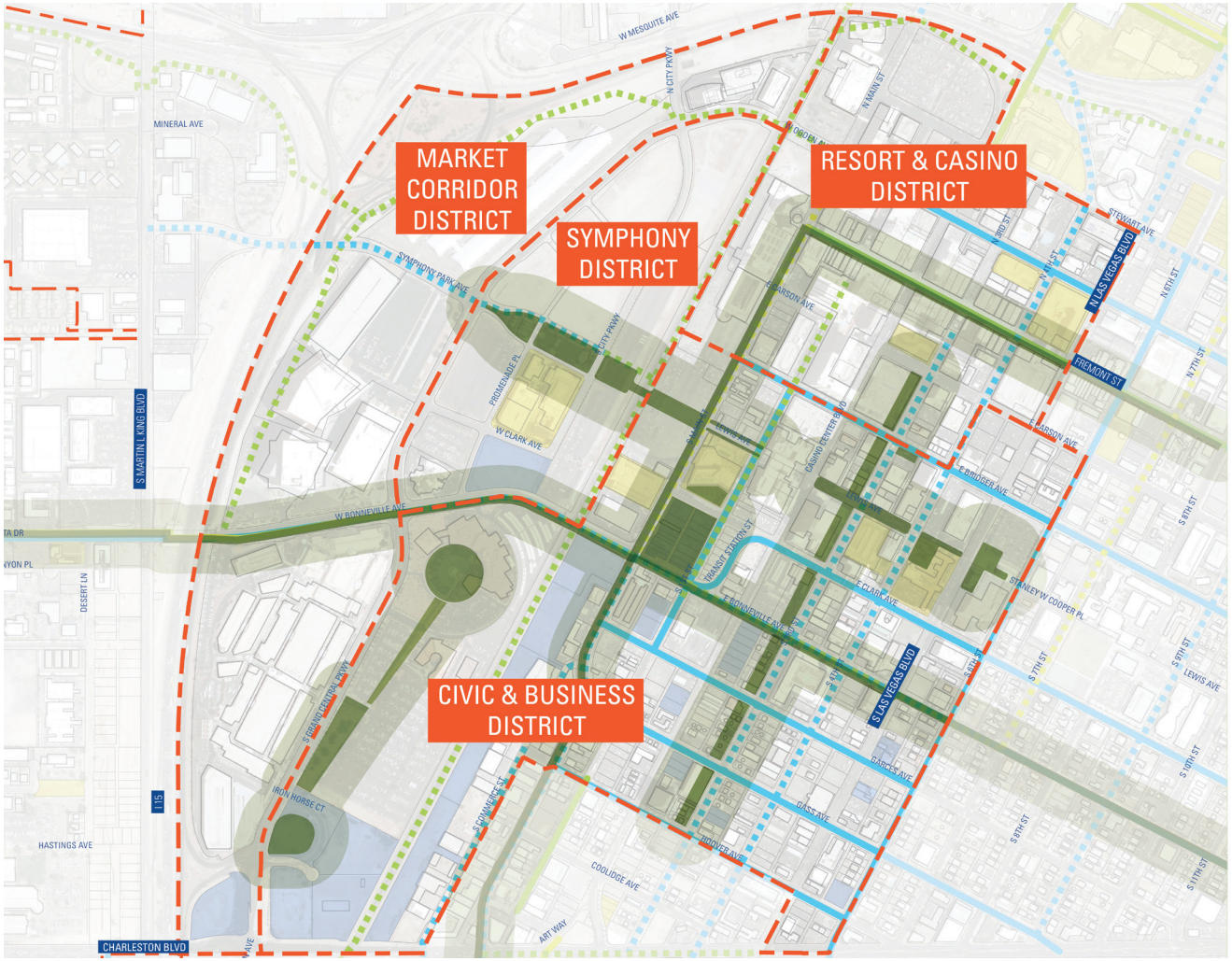


Wayfinding System



Mandela Parkway, Oakland

DOWNTOWN CORE



Downtown Core open space and trail network

LEGEND

- Existing and potential park and trail network
- City Owned Parcels
- Vacant Parcels
- District Boundary
- Existing Sidewalk Trail
- Potential Sidewalk Trail
- Existing Shared Use Path
- Potential Shared Use Path
- Existing Bike Lane/Route
- Potential Bike Lane/Route



Grand Park, Los Angeles



Bryant Park, New York City

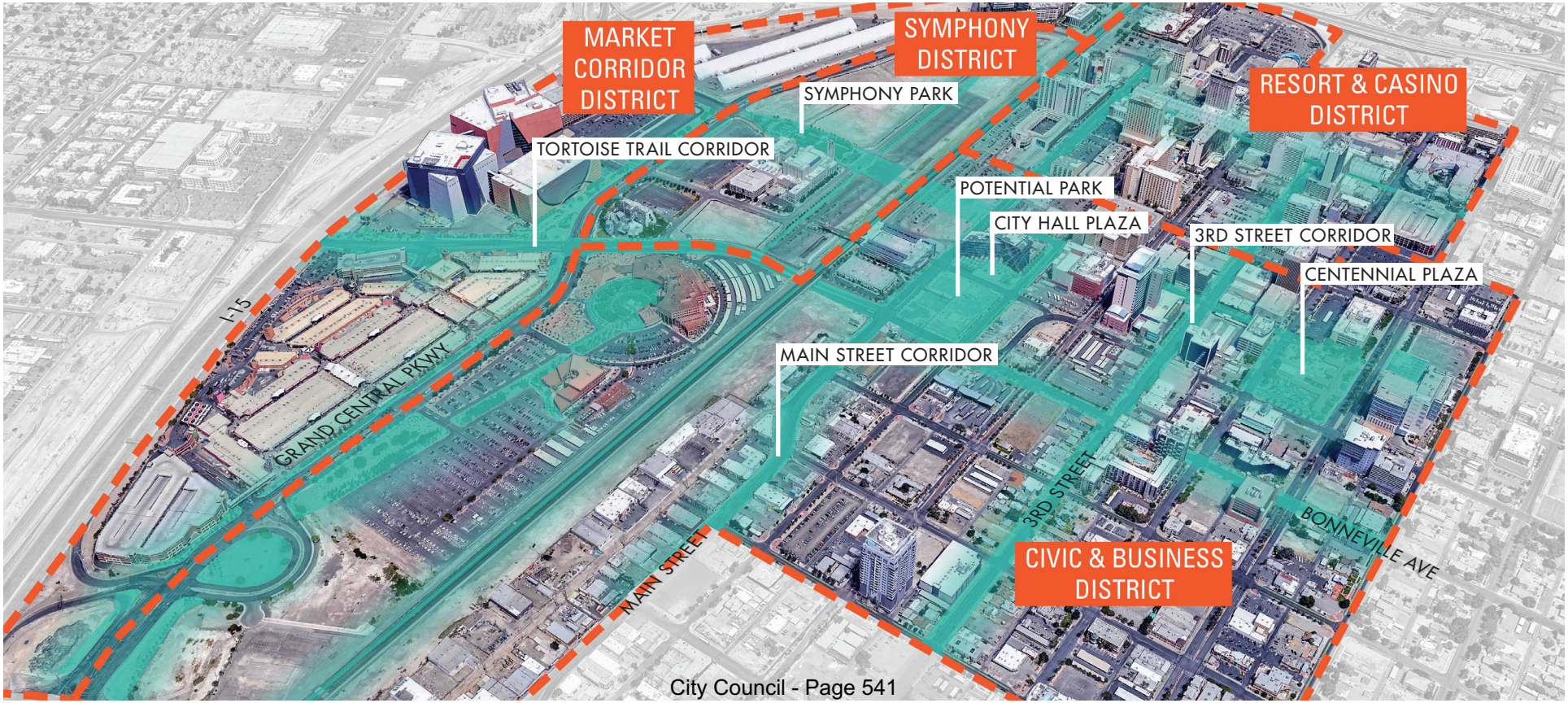


Civic Space Park, Phoenix

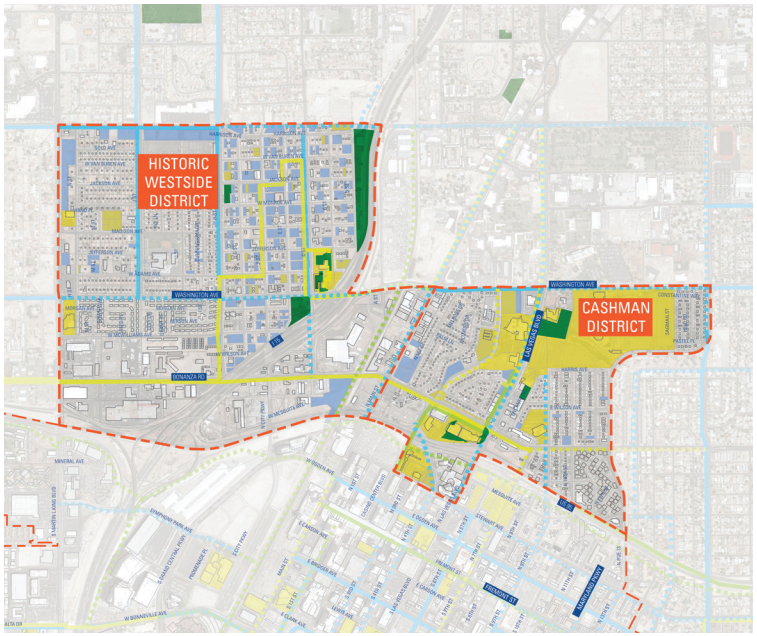
DOWNTOWN CORE

DOWNTOWN CORE IMPROVEMENT SUMMARY

PARK NAME	SIZE	EXISTING USES	FUTURE OPPORTUNITIES
Symphony Park	1.9 acres	Outdoor event and art space	Park expansion, outdoor fitness, repurpose park space, pedestrian bridge
Centennial Plaza	1.0 acres	Plaza adjacent to historic 5th Street School. Located in the downtown core on Lewis Avenue Corridor.	Upgrade site furnishing, reprogram plaza, add shade trees. Address the impact of homelessness, safety and cleanliness issue.
Downtown Central Park	1.5-2.5 acres	Private vacant parcel to be acquired	Central plaza and gathering, loop trail, shaded seating and social space, entry and parking area, signage and wayfinding system.
Trail Improvement	-	N/A	5' Class II trail along this key corridor. Provides a shaded pedestrian realm.



DOWNTOWN NORTH





CHARACTER AND OPPORTUNITIES

Developing a well-defined, safe and an easy-to-access trail system throughout Downtown North along the existing Pioneer Trail route provides opportunity to share cultural and heritage aspects in the Historic Westside and Cashman districts and connection to key attractions and historic sites. Improved signage, wayfinding, areas for resting and interpretation along both the bike and pedestrian trail routes reinforces the importance of these districts with the history of Las Vegas and provides opportunities for recreation as well as education.

KEY RECOMMENDATIONS

The following recommendations and opportunities should be applied to the Downtown North to fulfill the districts' goals of identifying potential parcels to provide parks and open space for the community and enhancing the trail system to showcase historical and culture resources. Some of these improvements will require programming and implementation strategies to carry into the future:

- Promote community level parks and/or active recreation programs to meet the need of downtown neighborhoods.
- Identify and establish small parks and open space close to the trail route for accessibility.
- Enhanced signage, wayfinding, and cultural components on the Pioneer Trail.
- Create a better non-vehicular connection from downtown north to the downtown core and address safety along each route.
- Consider re-purposing park space that is currently closed.

DOWNTOWN NORTH

ETHEL PEARSON PARK

Ethel Pearson park is a 2.59-acre neighborhood park located at E Street and West Washington Avenue just north of Interstate-15. Currently, as the only operating park in the Historic Westside district, it primarily serves as a passive use, community event, and outdoor party space. Opportunities to improve the park include identifying a park theme, expanding the park program to better support social activities, address safety issues and elevate maintenance priorities.

Park Opportunities

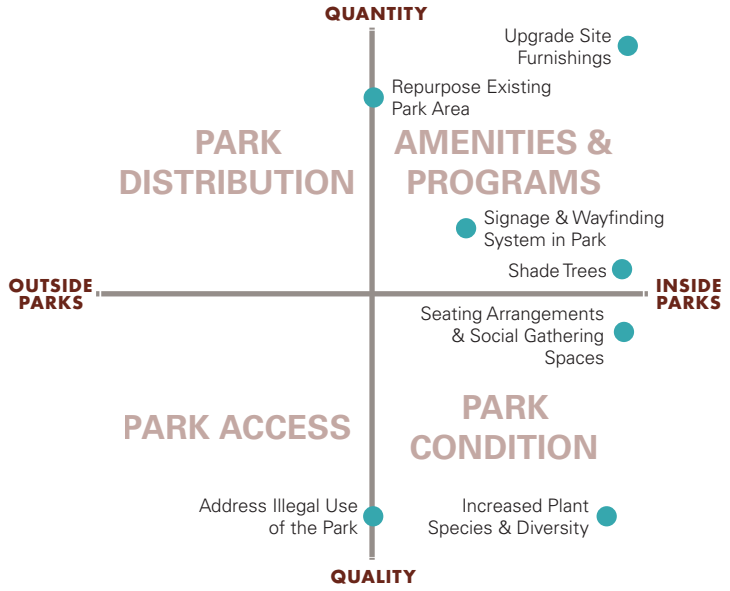
- **Park Theme, Art and Cultural Features:** Identify a park theme and character to represent the Historic Westside. The park could include works from local artists and photographers similar to the exhibition at the Historic Westside School across the street from the park. The park could be programmed as an educational place on Pioneer Trail, with temporary or permanent interpretive boards on site to accent the historical significance of the trail.
- **Seating and Social Gathering Space Improvement:** Consider renovating the park space with providing hardscape seating and social gathering opportunities. The space and associated facilities would support social and community events.
- **Flexible and Shared Use Area:** Basketball courts should be re-arranged to accommodate flexible active recreation use, such as volleyball and pickleball. With multi-use field markings and portable equipment, this can be achieved within an affordable budget. The existing passive lawn area could be programmed to support a five-a-side soccer game. With more active programs onsite, Ethel Pearson Park would attract additional community members to enjoy the park facilities.
- **Park Access:** Increasing access to the park would attract more residents to use and provide new opportunities for outdoor programming and to support events. Implementing a signage and wayfinding system in the district will aid in access and an additional trail along West Washington Avenue would enhance connectivity for the community.
- **Community Participation**
- **Plant Shade Trees**



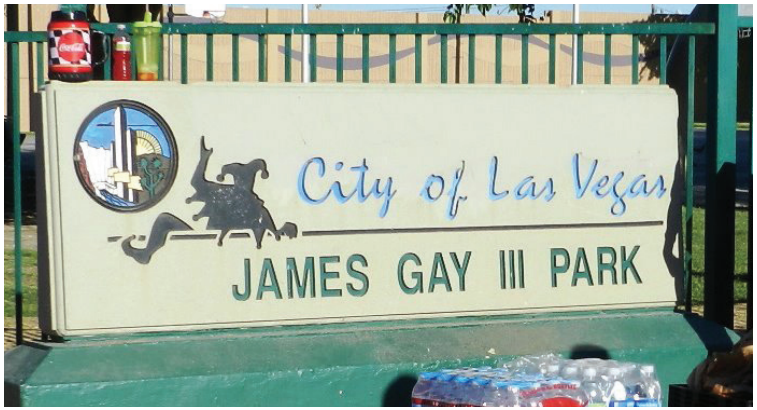
Playground at Ethel Pearson Park



Grass Lawn And Basketball Court



DOWNTOWN NORTH





James Gay Park current condition

JAMES GAY PARK

Located near Owens and B Street, James Gay park is a neighborhood park with a linear lawn area, basketball courts, skate park and playground. While its 5.99-acre space is programmed with abundant amenities, the park is situated at the fringe of the Historic Westside district away from where most residents live. As a result, it has become a frequent gathering area for the homeless population. The park has been closed since the summer 2013 due to safety issues and this has only aggravated the park and amenity deficiency for the neighborhood. There is opportunity to repurpose the site for an alternative use.

Park Opportunities

- **Repurpose existing park:** Consider repurposing this parkland to other uses that would benefit the City. The City could take this underutilized site that is already under public ownership and create a linear desert landscape open space, or a staging site. The City should consider a future park in a more centralized location where parks are in higher demand.

DOWNTOWN NORTH

HERITAGE PARK

Located adjacent to Cashman Field, Heritage Park is primarily used for passive recreation, featuring a picnic lawn, shaded playground and desert landscape area. The park is situated behind the Las Vegas Natural History Museum and County Library and draws users to this outdoor space throughout the day. The primary access is a shared entry way with the museum and there is a secondary entry from Washington Avenue that remains locked on regular basis.

Park Opportunities

- **Expand Active Programs and Amenities:** There is opportunity to expand and/or create active program spaces to attract more users for fitness, social gathering, play, and outdoor learning. Site furnishings and park amenities should also be modernized to accommodate for all-age groups to use and enjoy the park amenities.
- **Internal Jogging Path and Trail:** Redeveloping the Cashman Field can introduce a healthier lifestyle to the community by creating a running or jogging trail loop within the block. A short loop trail, typically less than 3-miles long, could promote moderate outdoor fitness activities for downtown residents. Tree plantings should be added to provide shade along the pathway and adjacent seating area. The loop trail could also be themed by connecting local attractions and cultural places, such as the Mormon Fort and the Neon Museum.
- **Enhanced Access:** By providing better wayfinding cues such as an entry sign on Las Vegas Boulevard, the park could be easier to recognize by local community members. Incorporating walking and biking trails south of Heritage Park during the Cashman Center redevelopment would improve access.



Aerial view of Heritage Park



Heritage Park current condition

DOWNTOWN NORTH

FUTURE PARKS AND OTHER IMPROVEMENTS

CASHMAN COMMUNITY PARK

The future of the Cashman Field property has been a topic of discussion with the City and potential developers since the Las Vegas 51 AAA baseball team left in 2015. While the 10.7-acre site is large enough to be a new regional sports complex for the community, the opportunity for a mixed-use development along with additional park improvements may be the best use of the property given several goals of the City. As potential development is identified for the property, consider a range of supportive recreational uses in site planning. The opportunity for a public private partnership has a high potential of success given the size and location. Since active sports fields are lacking in the downtown area, consideration for providing this use as well as others that will best support the surrounding community should be included in the final site design as well as opportunities to host sports and musical events.

Since the property is in close proximity to Pioneer and Bonanza trail system, improving connectivity within the property and to surrounding neighborhoods will provide greater non-motorized access and less dependency on the automobile.

Park Opportunity

- **Sports fields:** Existing sports fields within the downtown study area are located at schools and have limited access for the public. These sports fields could include soccer fields, baseball and softball fields, football fields, and a running track.

TRAIL AND CONNECTIVITY ENHANCEMENT

The trail and pedestrian network in the Downtown North should be enhanced to ensure history and culture components are embedded into the system. The Pioneer Trail is a good example in bringing the story of early Las Vegas to life with signage, banners, and historic places on its route. The network should also promote a safe and welcoming way to the downtown area. Figure 4.13 illustrates the potential connection from Bonanza to the Downtown Core across the viaduct. Lighting, shade trees, and other streetscape elements will help address safety issues.



Sports fields at Orange County Great Park, Irvine



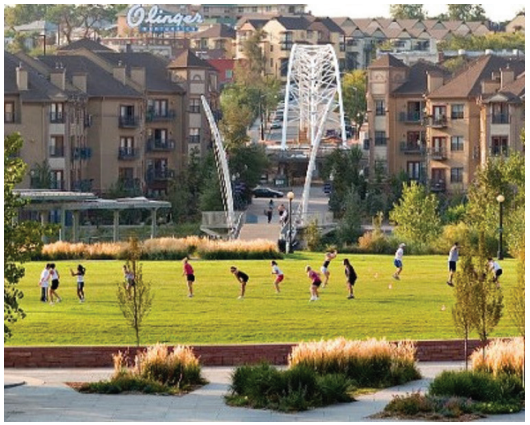
DOWNTOWN NORTH



Downtown North open space and trail network

LEGEND

- Existing and potential park and trail network
- City Owned Parcels
- Vacant Parcels
- District Boundary
- Existing Sidewalk Trail
- Potential Sidewalk Trail
- Existing Shared Use Path
- Potential Shared Use Path
- Existing Bike Lane/Route
- Potential Bike Lane/Route



Riverfront Park, Denver



Neighborhood Park, Irvine

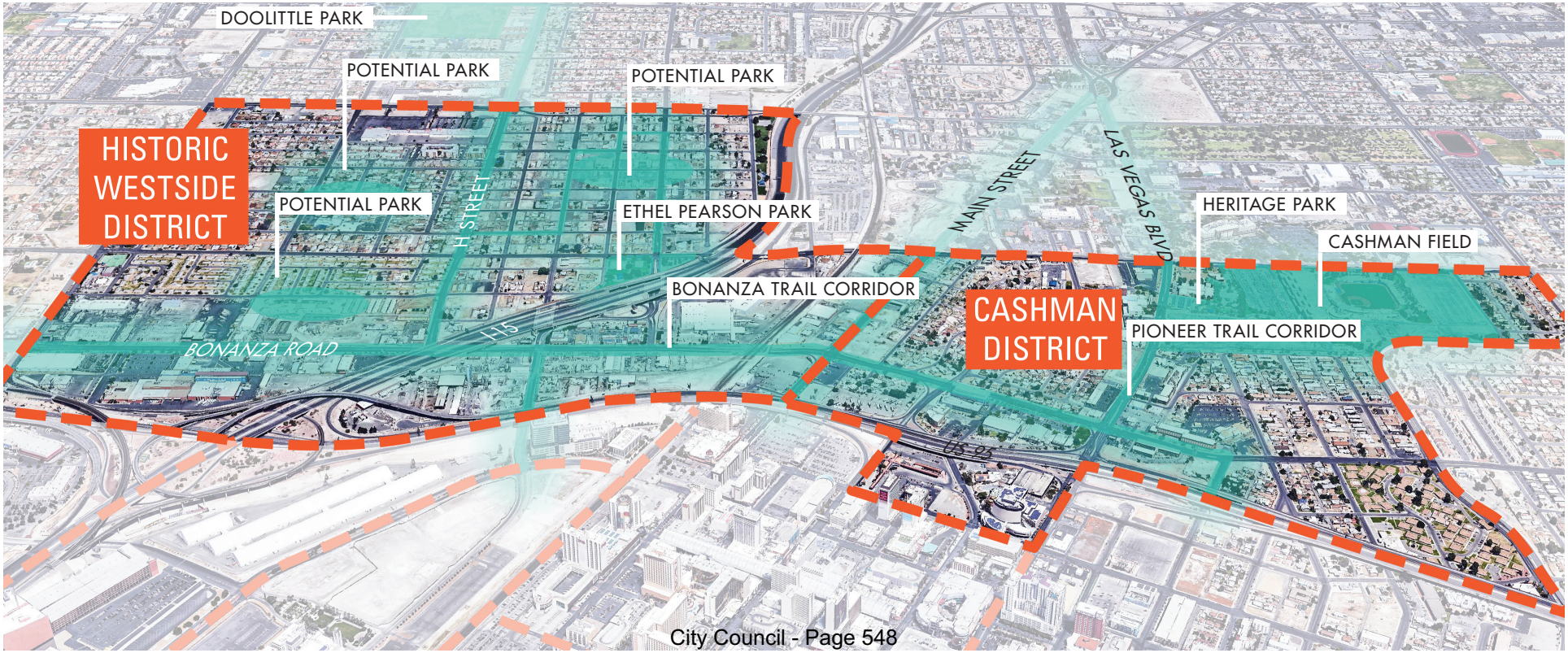


Historic Westside Gateway Plaza

DOWNTOWN NORTH

DOWNTOWN NORTH IMPROVEMENT SUMMARY

PARK NAME	SIZE	EXISTING USES	FUTURE OPPORTUNITIES
James Gay Park	5.99 acres	Closed	Repurpose park for other use
Ethel Pearson Park	2.59 acres	Serves as the only neighborhood park in Historic Westside with active and passive space.	Central plaza and gathering, loop trail, shaded seating and social space, entry and parking area, signage and wayfinding system.
Cashman Community Park	10.70 acres	Mixed Use stadium primarily used for baseball and soccer game adjacent to Cashman Center operated by City of Las Vegas.	Partially re-purpose existing surface parking to active recreation opportunities including sport fields, court, ADA accessible trail, wayfinding, restroom facility and improved irrigation system. This improvement would promote a shared use parking area.
Trail Improvement	-	N/A	5' class II trail along key corridor. Provide shaded pedestrian realm.
Signage and Wayfinding System	-	-	Wayfinding information include parks, public facilities, cultural places and other local attractions.

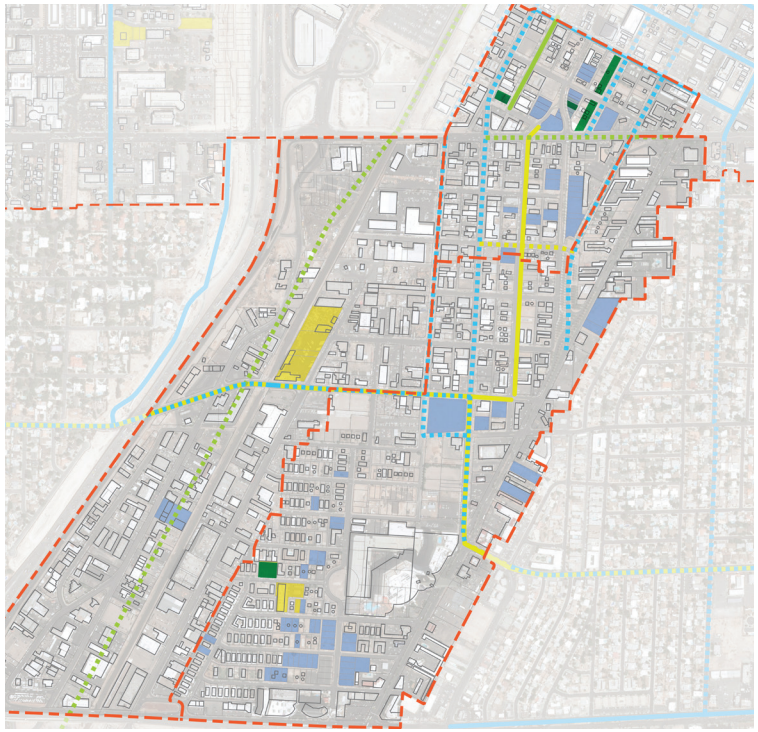


DOWNTOWN SOUTH

KEY RECOMMENDATIONS

The following recommendations and opportunities should be applied to the Downtown South and will require future detailed implementation strategies:

- Increase accessibility to the Healing Garden, so it can accommodate a larger volume of programs and people.
- Create a neighborhood park within the Gateway district as a long-term planning project.
- Create bicycle friendly street corridors along 3rd Street, Main Street, and Wyoming Avenue/Oakley Boulevard to create a connection between the Strip and downtown and across Interstate-15 to neighboring residential communities.
- Expand pedestrian infrastructure to promote sustainability, access to different modes of transportation, and safety.
- Implement a signage and wayfinding system to guide residents and visitors to parks and trails.
- Explore outdoor art venue opportunities to serve downtown occupants and visitors and build an art brand for Downtown Las Vegas.





DOWNTOWN SOUTH







Existing photos of the Healing Garden

HEALING GARDEN

The Healing Garden is a memorial space that was built by community members following the 2017 Las Vegas mass shooting. Originally constructed as a temporary remembrance wall, the wall was permanently rebuilt in 2018. The site is located in the Arts district and is close to the 3rd Street and Main Street improvements taking place. The City purchased the vacant parcels directly to the north of the existing garden, which will increase accessibility through surface parking and allow for more open space to accommodate other uses.

Park Opportunities

- **Improved Entry & Circulation:** Improve entry points at the southern portion of the site along Casino Center Boulevard and along the northeast corner of Coolidge Avenue to provide better access for the newly constructed mixed-use development and from 3rd Street.
- **On-site Parking & Accessibility:** On-site parking will be located along Coolidge Avenue to provide better access to the garden by personal vehicle. The garden is also located next to a transit stop which provides public transportation directly to the space.
- **Social Gathering Space:** Create a programmable social gathering space to be used for versatile events. The gathering area could be located on a newly acquired parcel north of the existing memorial.
- **Upgraded Site Furnishings:** Site furnishings including seating, signage, drinking fountains, and lighting should be provided for the social gathering space.



DOWNTOWN SOUTH

FUTURE PARKS AND OTHER IMPROVEMENTS

GATEWAY NEIGHBORHOOD PARK

Located within the Gateway district, a new neighborhood park would increase resident access to parks and address the projected population increase within the area. The park would require obtaining privately owned vacant parcels.

The park could be used to support events that are located off of Main Street, such as parades, farmers markets, and other festivals.

With both passive and active programming, the park should accommodate uses for all ages. Amenities should include shade trees, play features, enhanced seating and social gathering spaces, an internal jogging path, and access to the greater downtown Las Vegas trail system.

Park Opportunities

- **Internal Loop Trail:** The development of a multi-purpose trail in the downtown Gateway Neighborhood Park serves as an important feature for downtown residents. This one-mile accessible trail will promote a healthy lifestyle by attracting all-age groups for walking and jogging and will increase family and multi-generational interaction.
- **Accessibility:** The location for the potential park is located at the terminus of the bike trail that runs west along Wyoming Avenue/Oakey Boulevard to the neighboring residential communities.
- **Regional Trail Connections:** The park can serve as an activity hub along the trail networks that run through the district and connect to the Strip. This will promote bicyclists to visit the park from their neighborhoods. The pathway material can be either hard or a durable soft-surface for recreational use.
- **Social Gathering Area**
- **Shaded Seating and Social Space**

DOWNTOWN TRAIL AND CONNECTIVITY ENHANCEMENT

While much of the Downtown South is automobile-centric, several street enhancement projects would provide better walkability and bikeability for residents and visitors alike. Creating a better connection between the Strip and the downtown area would promote sustainable transportation. One long-term planning strategy is enhancing the Union Pacific Railroad to an off-street path that runs through the entire downtown.

In the Arts district, public art should be a driving force behind design decisions. The existing 1st Street Art Trail showcases several art exhibits and installations, such as a temporary art displays in City Hall windows, artist sculptures, an "aerial gallery" of artist designs on street banners, and artist-designed benches. The Arts district acts as the southern terminus of this trail, which leads to north to the Golden Nugget Hotel in the Downtown Core.

The potential bike trail along Wyoming Avenue/Oakley Boulevard terminates at the potential site of the Gateway Neighborhood Park and continues west across Interstate -15 to provide connectivity.



Aerial view of the monthly First Friday event in the 18b Las Vegas Arts District

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DOWNTOWN SOUTH



Downtown South open space and trail network



Lowry Neighborhood Park, Denver



Yerba Buena Gardens, San Francisco

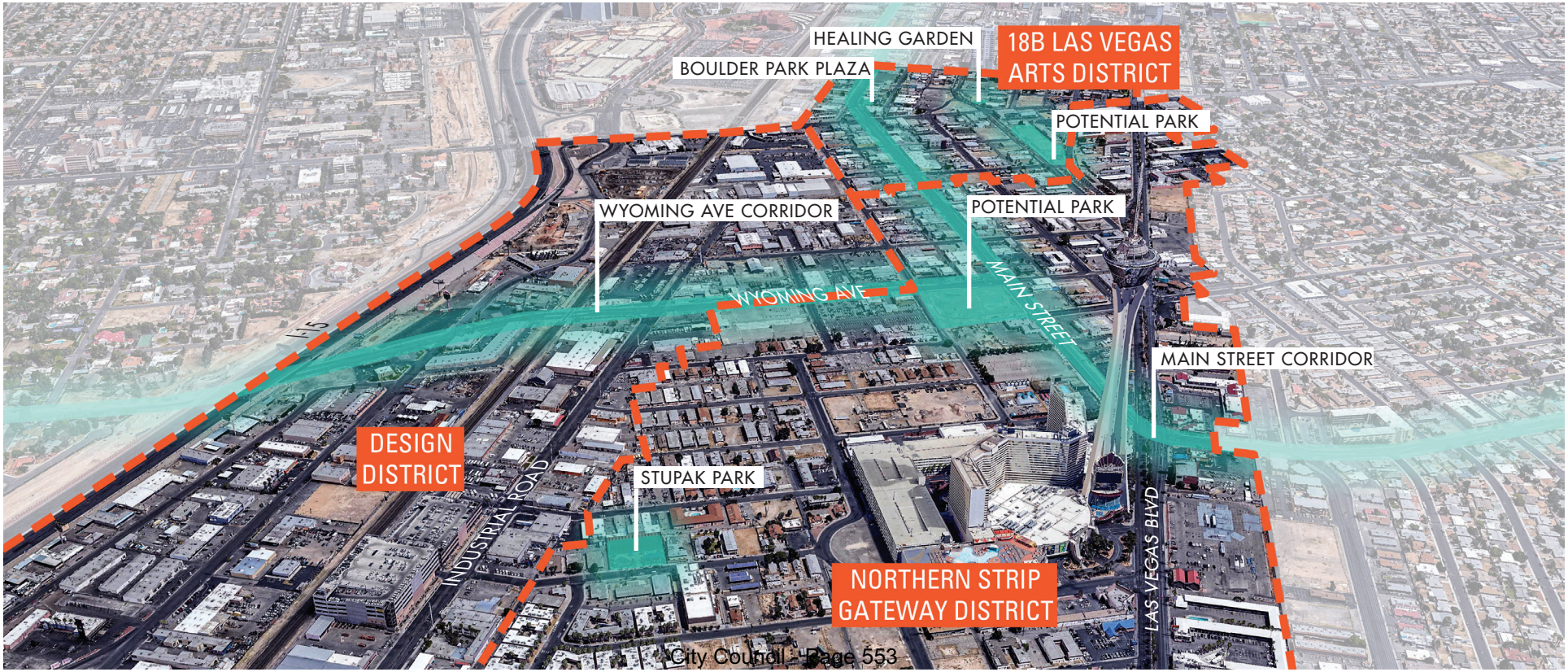


Mission Bay Kids Park, San Francisco

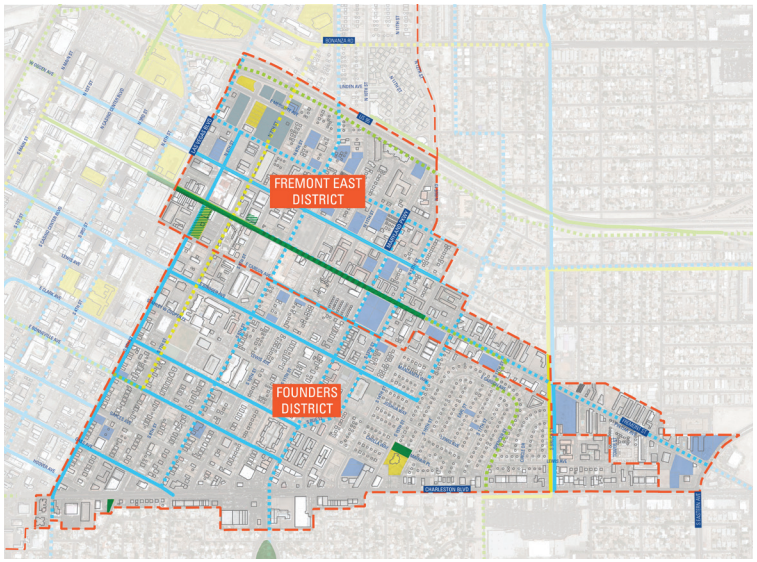
DOWNTOWN SOUTH

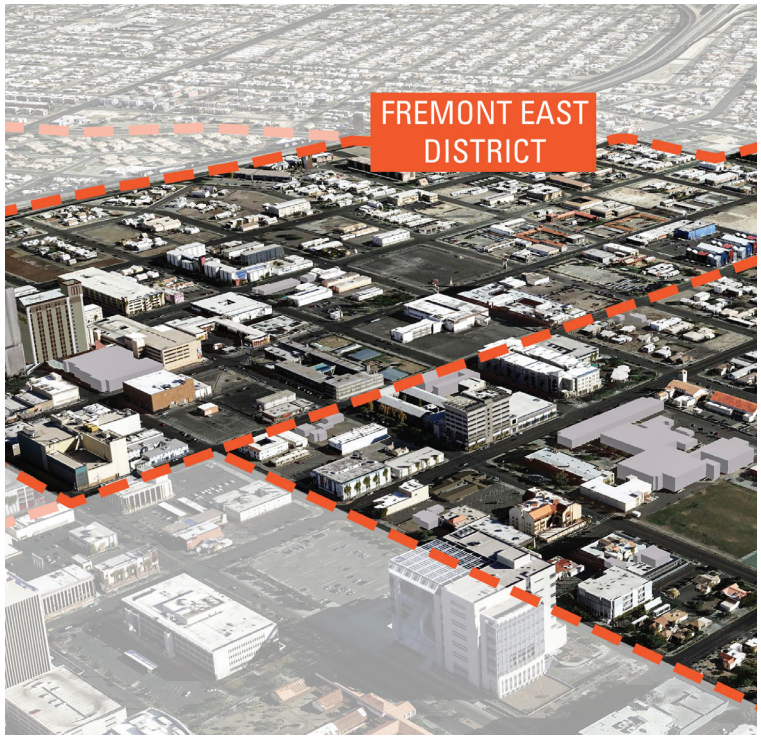
DOWNTOWN SOUTH IMPROVEMENT SUMMARY

PARK NAME	SIZE	EXISTING USES	FUTURE OPPORTUNITIES
Healing Garden	0.25 acres	Temporary memorial park with cultural and social significance	Expand and program the park through design process. Improve to a permanent park by keeping its memorial function and other programs. Opportunities to commission art installation.
Gateway Neighborhood Park	2.25 acres	Private vacant parcel to be acquired	A neighborhood park developed to serve the increased population in the future. Passive, active and social gathering spaces should be added to the park.



DOWNTOWN EAST





KEY RECOMMENDATIONS

The following recommendations and opportunities could be applied to the Downtown East. Each will require detailed implementation strategies in the future:

- Enhance the Fremont Street Corridor with walkability and a connection to the Resort & Casino district.
- Expand the downtown bicycle network to connect to the residential communities north of Highway 95 and south to the University of Nevada, Las Vegas campus.
- Explore opportunities to acquire and repurpose underutilized parcels into uses currently unavailable in the Downtown East.
- Create a new neighborhood park to serve the residents in the Downtown East.
- Implement a signage and wayfinding system to guide residents and visitors to parks and trails.
- Explore outdoor art venue opportunities to serve downtown occupants and visitors and build an art brand for Downtown Las Vegas.

DOWNTOWN EAST

FREMONT STREET CORRIDOR

The Fremont Street Corridor is the historic main street for the city of Las Vegas, known for its display of neon lights and historic casinos and hotels built in the 1930s. The revitalization of Fremont Street is an ongoing project within the City and serves as a pilot project for the resurgence of downtown Las Vegas and the improvements to other iconic streets. There are numerous entities invested in the revitalization of Fremont Street and with these improvements the crime rate may also be reduced. Many Las Vegas residents and visitors attend events and patronize the restaurants so improving accessibility, connectivity and wayfinding along the Fremont Street Corridor will result in increased visitation and reinvestment by businesses and property owners.

Stakeholder and public outreach efforts identified that there are numerous entities invested in the revitalization of Fremont Street. Many Las Vegas residents and visitors alike travel to the corridor to attend events and go to restaurants. There are many opportunities to improve the accessibility and connectivity along the Fremont Street Corridor.





Park Opportunities

- **Consistent Tree Canopy:** Through outreach, many members of the public asked for an increased tree canopy and shade in the city's public spaces. Increasing the shade canopy with broad leaf trees serves to lower the warmer temperatures associated with urban paved areas and make spaces more comfortable and usable year-round.
- **Outdoor Public Gathering Spaces:** The Fremont East district would benefit from public-private partnerships to increase the level of service of its parks and open spaces. Parcel owners have the opportunity to create gathering spaces along the streetscape that are accessible to the public.



Existing Fremont Street Streetscape



Rendering of future Fremont Street



Fremont Street during the 1940s

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CASE STUDY:
CHICAGO

Millennium Park was made possible due to a strong public-private partnership between the City of Chicago and the nonprofit conservancy Millennium Park Foundation.

- This partnership formed the base fundraising and management structure, raising an unprecedented $490 million.
- The park is managed by the Millennium Park Foundation, while the city owns the park.
- Enriching programs that attract a diverse group of visitors are what keep the partnership ongoing today.



DOWNTOWN EAST

- **Enhanced Walkability & Bikeability:** An integral way to improve the streetscape is to emphasize the importance of pedestrian walkability along the street. Fremont Street has a large 80' right-of-way and is currently designed around the automobile with 5 lanes. Expanded sidewalks and street amenities such as bicycle racks, trash receptacles, seating, and planting areas create a space more desirable for pedestrians. The corridor is also recommended by the Regional Transportation Commission (RTC) to have a striped bicycle lane to make the downtown street more bike friendly.
- **Signage & Wayfinding System**

DOWNTOWN EAST

MAYFAIR PLACE PARK

Mayfair Place Park opened to the public in 2017 and is the newest park in the downtown area. The park is a 0.6-acre mini park located in the heart of the Founders district with facilities for all age groups. The park features a basketball court, shaded playground, shaded picnic area and grill, fitness station, and jogging path that serves the nearby community. Mayfair Place Park is best accessed by foot as there is limited street parking. The current recommendation for Mayfair Place Park is to keep the existing maintenance level of service.

Given the limited size of this park, a larger neighborhood park is recommended to increase the park space in the Downtown East.

FUTURE PARKS AND OTHER IMPROVEMENTS

FREMONT NEIGHBORHOOD PARK

Located within walking distance of the Fremont Street corridor and other key attractions in the district, a neighborhood park could serve as the first public park in the Fremont East district. Given the increasing rates of tourism and population in the area, the park would attract both local and visiting families. The park size, which is dependent on parcel vacancy and price, may range from 2 to 4.5 acres. Potential uses include a play area for children, an outdoor plaza for events, and art installations. Park amenities could include seating, bicycle storage, bike share station, lighting, and restrooms.



Existing Mayfair Place Park





Potential park signage





Tongva Park, Santa Monica



Klyde Warren Park, Dallas

DOWNTOWN EAST

Park Opportunities

- **Entry and Parking Area:** Design an entry monument to highlight the history of downtown Las Vegas and to orient people towards parks and open spaces. Provide adequate on-street and off-street parking for both community park users and visitors. Surface parking should be constructed with sustainable and green infrastructure practices.
- **Implementation Strategy:** The City should consider a few potential sites based on park assessments and recommendations, parcel availability, cost of land acquisition, and other factors. The City should conduct public outreach to develop the downtown Fremont Park programs and activities. When the park land has been determined and acquired, the City and a design consultant should conduct a comprehensive design and documentation process in order to create a quality urban park that best represents the past and future of downtown Las Vegas.
- **Central Plaza and Gathering Area**
- **Regional Trail Connections**
- **Shaded Seating and Social Space**
- **Signage and Wayfinding System**

DOWNTOWN EAST

VIADUCT SPORTS PARK

The downtown Viaduct Sports Park provides an opportunity for the City of Las Vegas to repurpose an existing vacant parking lot under elevated portions of Interstate 515. There is an opportunity to leverage NDOT construction funds when I-515 is rebuilt over this area to partially allocate funds to pedestrian and aesthetic enhancements. The addition of a hardscape park would help address safety issues that surround the vacant areas of the Fremont East district, by creating a community space in an otherwise vacant and removed area. The park could have sport courts, restrooms, and a parking area or other features that do not require irrigation or plantings. Art features and mural paintings would reflection the local character of the Fremont East district.

Park Opportunities

- **Entry and Parking Areas:** Provide adequate on-street and off-street parking for both community park users and visitors. Surface parking should be constructed with sustainable and green infrastructure practices.
- **Sport Courts:** Amenities such as skate parks and full-size basketball courts that are open to the public would be viable options for the Viaduct Sports Park.
- **Signage and Wayfinding System:** A system with similar design treatments could be used across the entire downtown area. When guiding users to specific parks, unique signage could be used identifying certain park themes or functions. The signage forms and character should be identified in guidelines prior to the park's project design phase.
- **Green Space Or Open Area** that consider maximize use flexibility and accommodate yearly events.
- **Dog Park**



Underline Park rendering, Miami





I-25 Viaduct Park renderings, Denver

CASE STUDY:

UNDERGROUND AT INK BLOCK

Boston converted a vacant 8-acre parking lot into a thriving, urban park in the city's South End neighborhood.

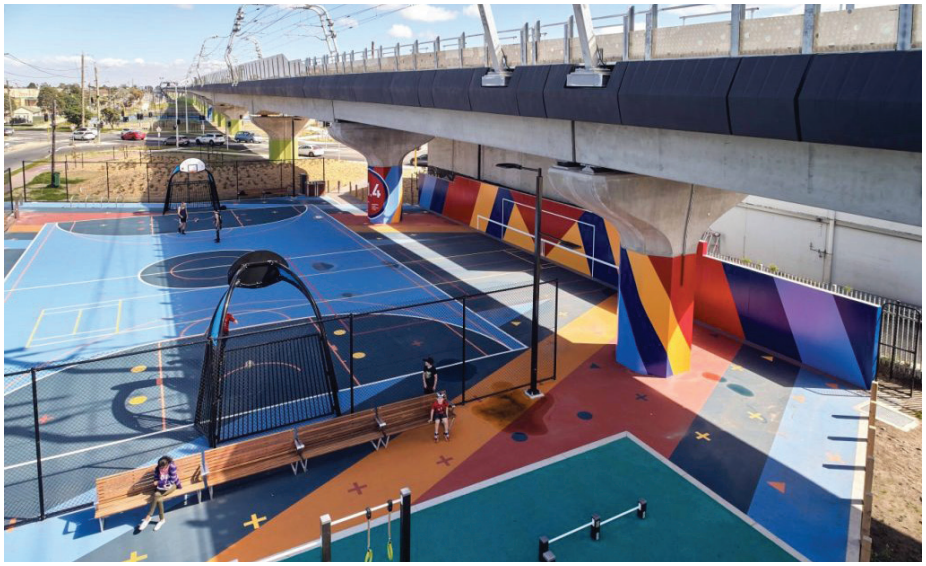
- Using a public-private partnership, MassDOT built the park and a private developer operates the park under a long-term lease.
- The park features 24-hour security, street art, dog park, fitness classes, sport courts, and bicycle paths just outside Boston's downtown.



DOWNTOWN EAST

DOWNTOWN TRAIL AND CONNECTIVITY ENHANCEMENT

Streetscape improvements in the Downtown East will improve connections from the downtown area to the north and south. Highway 95 creates a divide between the Fremont East district and the Cashman district to the north, cutting off connectivity between Cashman, the City of North Las Vegas, and the greater downtown. The proposed Spencer Greenway Trail runs from north to south through the two Downtown East districts and will serve as a connection between the downtown and the University of Nevada, Las Vegas.



Gasometer Park in Melbourne, Australia

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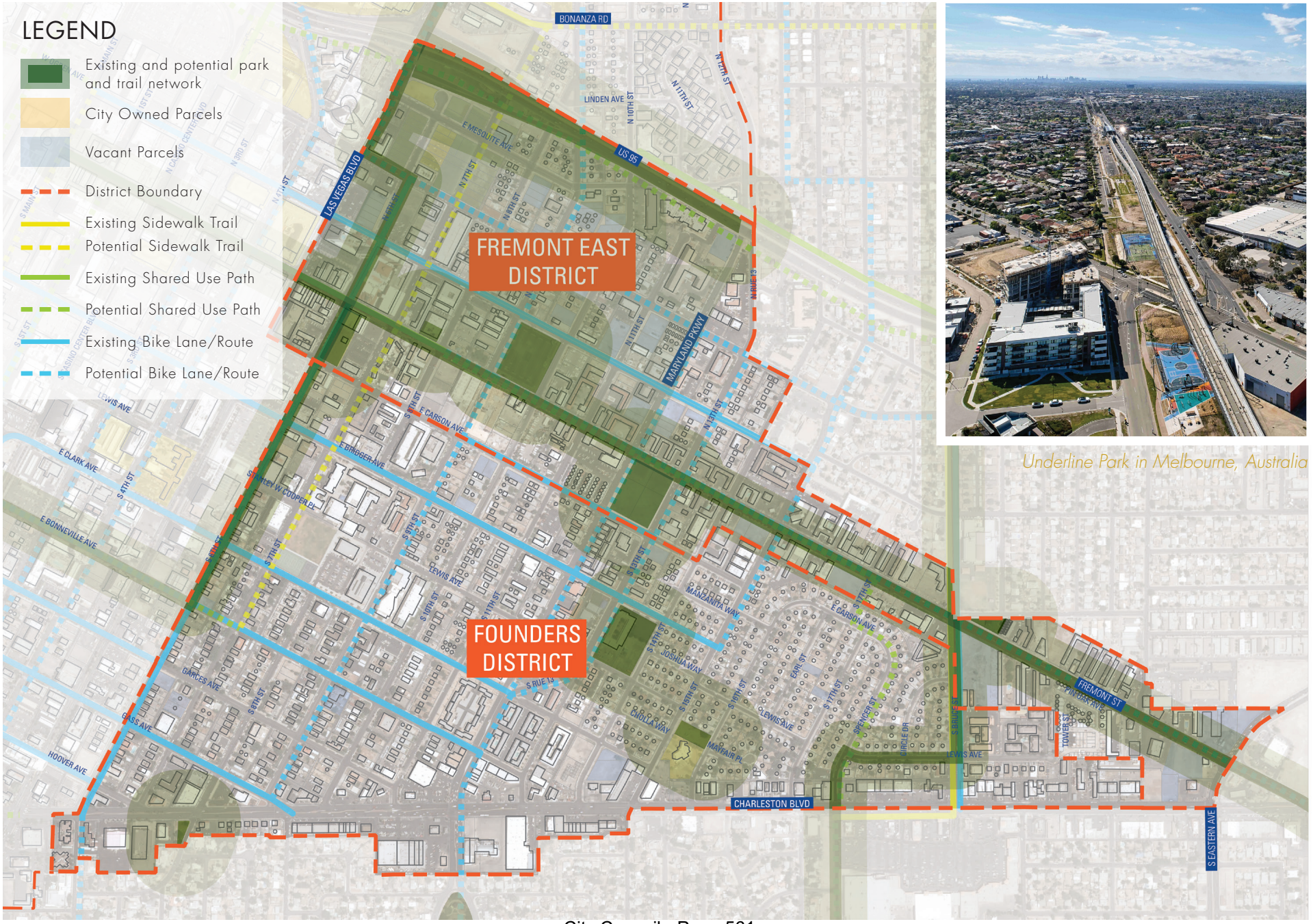
DOWNTOWN EAST

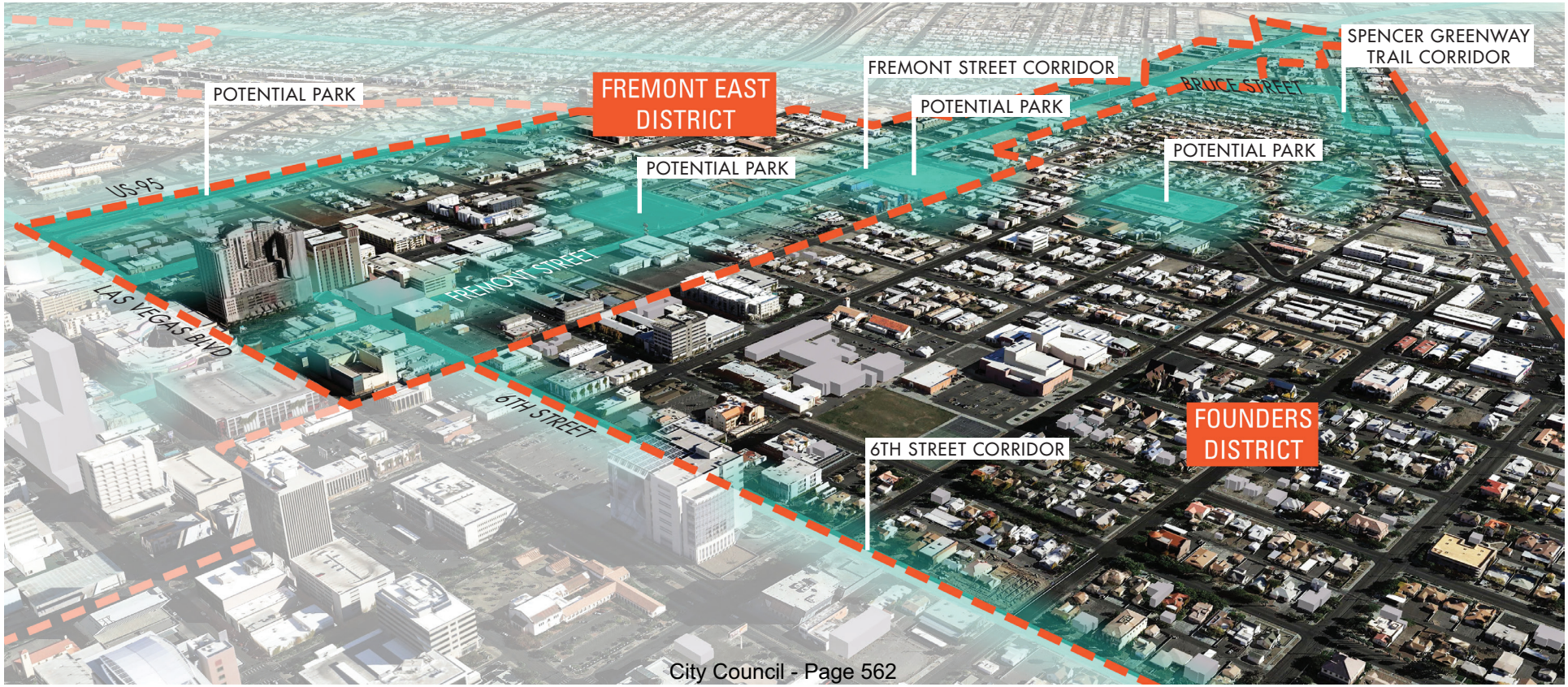


Underline Park in Melbourne, Australia

DOWNTOWN EAST

DOWNTOWN EAST AREA IMPROVEMENT SUMMARY

PARK NAME	SIZE	EXISTING USES	FUTURE OPPORTUNITIES
Fremont Street Corridor	-	Historic main street to the city of Las Vegas with strong cultural features and attractions along the corridor.	Add shade trees, structures and outdoor public gathering spaces.
Viaduct Sports Park	4.00 acres	Parking lot, city's staging area.	A special use site under Highway 95 with active recreation courts, restroom facility, parking area and dog park. Add art features and paintings to reflect local character.
Mayfair Place Park	0.65 acres	Newly constructed park with active recreation and playground space to serve nearby community.	Improve access to downtown trail system
Fremont Neighborhood Park	2.5 acres	Private vacant parcel to be acquired	An urban neighborhood park to serve the increased population within the area, with features such as play features, outdoor plaza. Select a site that is within walking distance to the Fremont Street corridor and the area's key attractions.
Trail Improvements	-	N/A	Fremont street corridor, future trails along light rail extension.



MEDICAL DISTRICT

CHARACTER AND OPPORTUNITIES

The Medical district is the existing healthcare and office hub for the City and is outlined as a key growth area. Current institutions in the area are the University Medical Center, Valley Hospital Medical Center, Horizon Specialty Hospital, the UNLV School of Dental Medicine, and the Las Vegas Metropolitan Police Department.

With the goal to establish the Medical district as a driving force in the downtown economy and as a top center for healthcare and research in Southern Nevada, the Vision 2045 Plan proposes several large-scale development projects with the goal of bringing in a more educated population that lives, studies, and works in downtown Las Vegas. Included in the plan is 19,000 gross square feet of development including mixed-use development on major streets, bringing in convenient transit, green linkages, and bike trails/bike share stations. The City proposes to expand the multi-modal transit along Martin Luther King Boulevard, Rancho Drive, and between the district and the downtown core—this presents an opportunity to create better connections into the Medical district through an expanded trail network.



MEDICAL DISTRICT CHARACTER AND OPPORTUNITIES

The City of Las Vegas does not currently own any parcels within the Medical district and a majority of the zone falls outside of a walkable distance to a park. Given that a large portion of the district is privately owned, opportunities to create parks and open space are somewhat limited to public-private partnerships. Such public-private partnership parks could be included within opportunity sites along the central roads running through the district as the City moves toward densifying the area.

The Medical district has existing bicycle lanes and pedestrian paths running along several of its main throughways—Alta Drive/Bonneville Avenue, Shadow Lane, and the newly constructed portion of Martin Luther King Junior Boulevard. Enhancing these key areas is critical in the development of the Medical district as a livable community and modern work environment.

CASE STUDY:
PUBLIC PLAZA IN DEVELOPMENT AREA



MEDICAL DISTRICT

KEY RECOMMENDATIONS

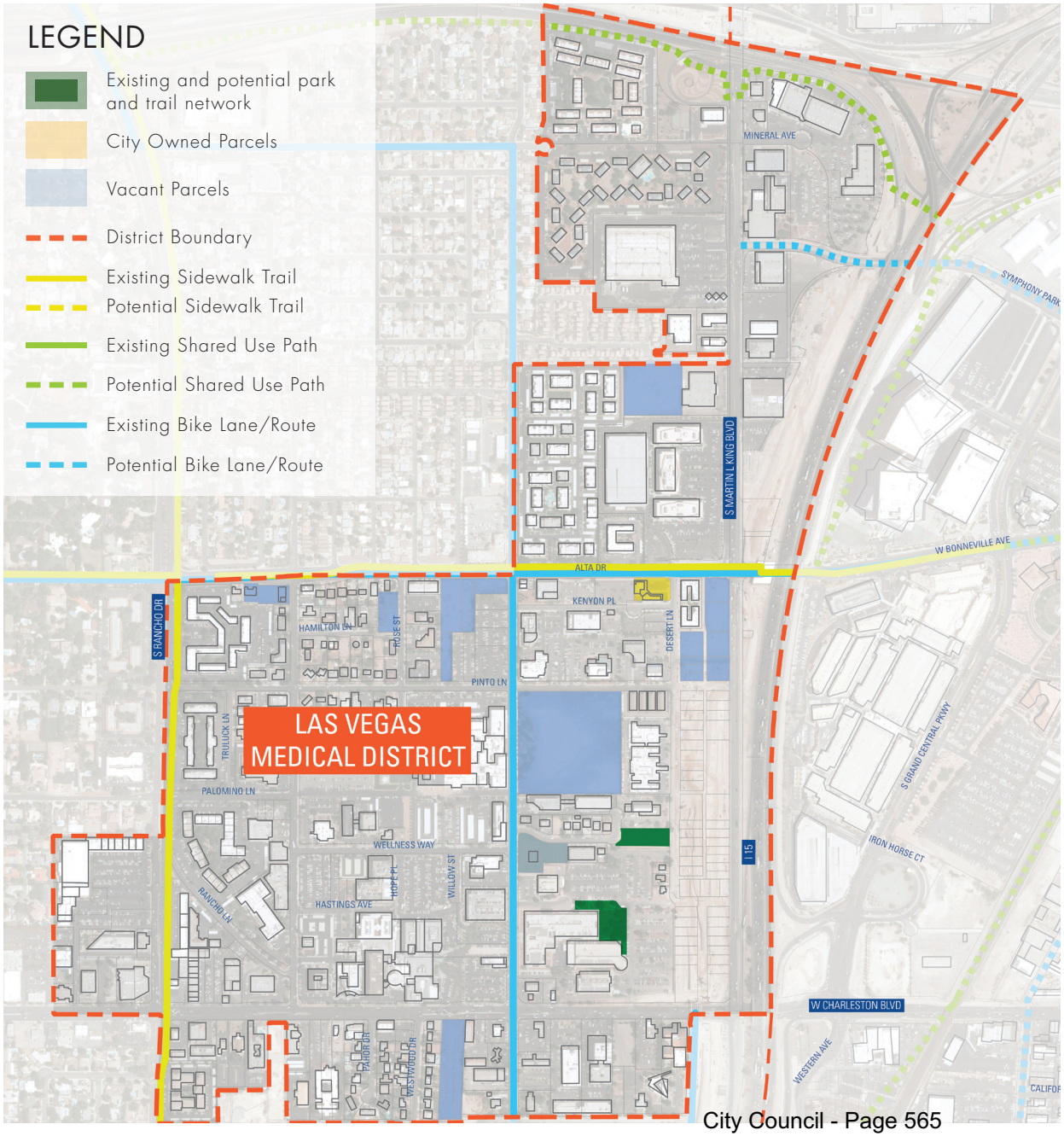
- Trail connectivity enhancements along Alta Drive, Shadow Lane, Charleston Boulevard, and Martin Luther King Junior Boulevard.
- Development of new parks and open space through a public-private partnership along key access routes.
- Expand the bicycle network and promote a bike share system.
- Enhance the pedestrian zone through better connections between potential amenity areas.
- Create better bicycle- and pedestrian-friendly connections between the district and the Downtown Core.
- Incorporate NDOT landscape areas when applicable.

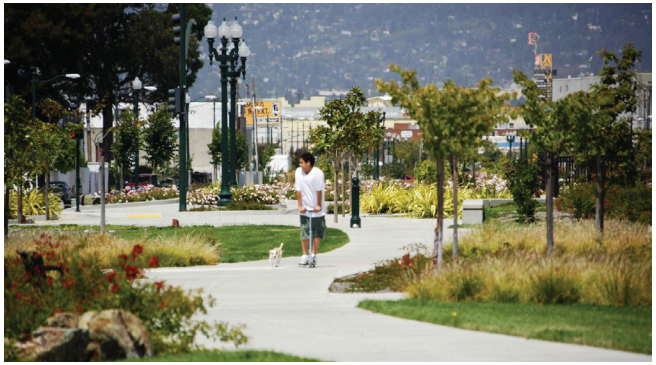
DOWNTOWN TRAIL AND CONNECTIVITY ENHANCEMENT

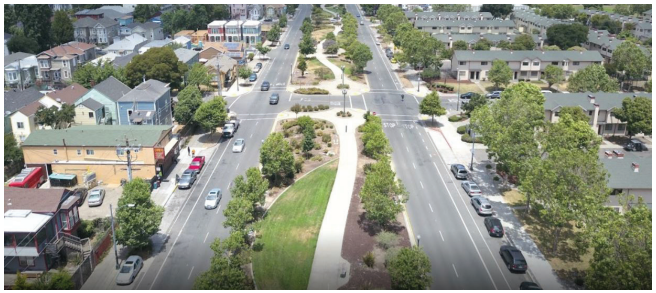
Connectivity between the Medical district and the rest of the downtown area is essential as the City moves to incorporate more housing, jobs, and educational facilities within the district. Interstate 15 and Highway 95, which border two sides of the district, act as dividing agents between with the rest of the downtown. Connections across the highways along major corridors to the east and north are critical locations for trail enhancements within the downtown area. Trail connections should be both pedestrian- and bicycle-friendly and should include a buffered bicycle lane, increased shade coverage, and art in underutilized areas.

Additionally, improvements to the on-street trails within the Medical district should align with locations of existing and proposed public transit lines and where the City has planned areas of development, based on the Medical district Facilities Master Plan and the Vision 2045 Plan. Development opportunity site based off these two plans is centralized around Shadow Lane, so the trail corridors should take a "spine" approach and emanate from that location. This provides a greater connection to the rest of downtown and to the west of Las Vegas and Summerlin.

MEDICAL DISTRICT







Mandela Parkway, Oakland



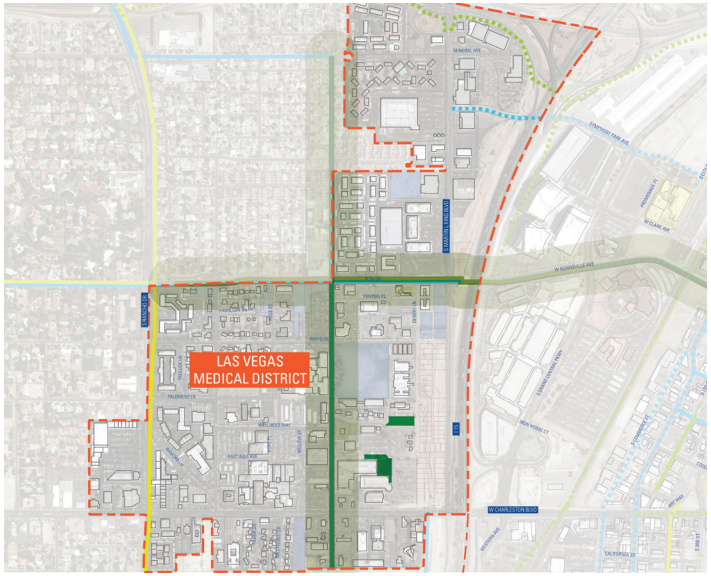


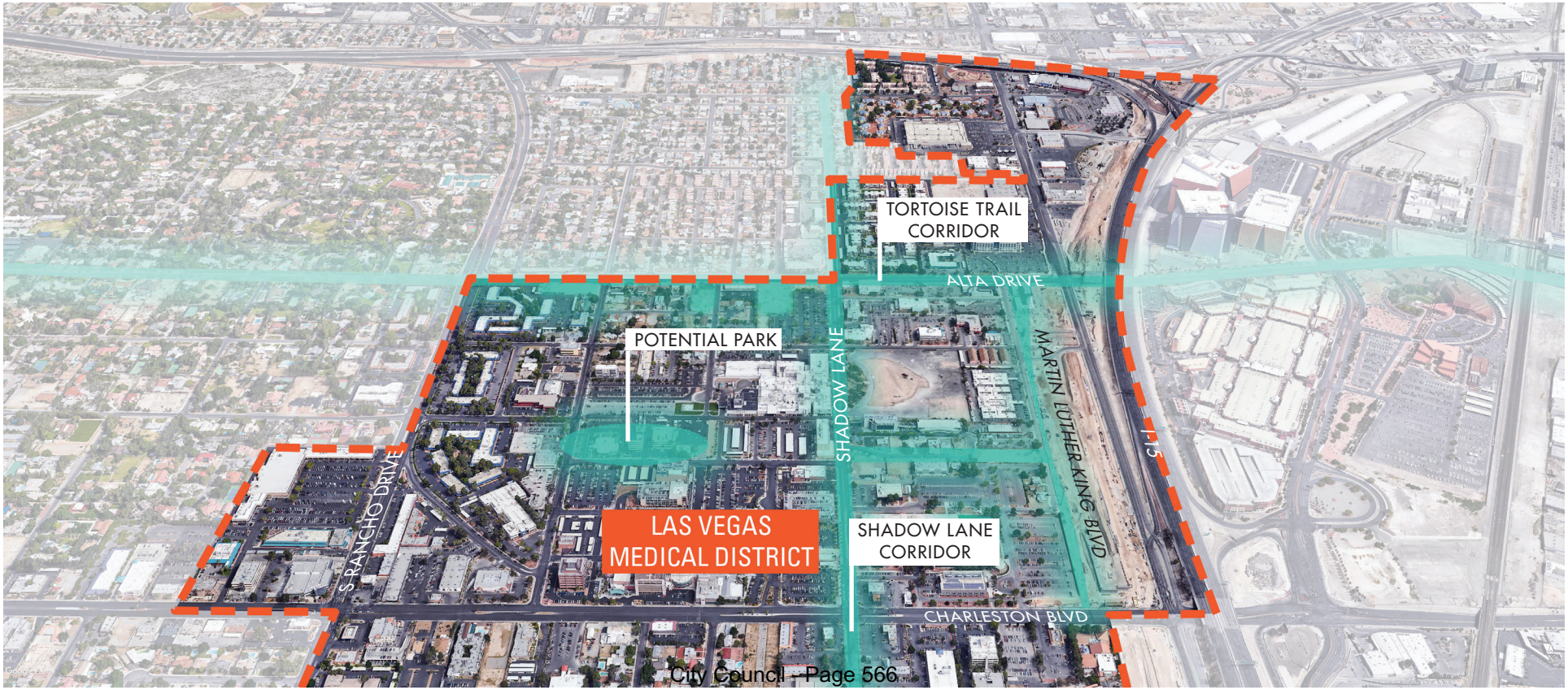
Stapleton Greenway Park, Denver

MEDICAL DISTRICT

DOWNTOWN MEDICAL AREA IMPROVEMENT SUMMARY

PARK NAME	SIZE	EXISTING USES	FUTURE OPPORTUNITIES
Trail and Connectivity Improvement	-	N/A	Trail corridor improvement along Alta. Improved pedestrian realm within the area.
Public space within private development	-	-	Promote outdoor public space within private housing or commercial projects.





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APPENDIX A: PARK SITE IMPROVEMENT AND EXPANSION OPPORTUNITIES

PARK NAME	ACREAGE	DESCRIPTION OF DEVELOPMENT OR IMPROVEMENT OPPORTUNITIES
Existing Neighborhood Parks		
Symphony Park*	2.16	A public-private partnership park space with expanded outdoor programming, trail access, fitness, and programing to serve all age groups. Explore opportunities to improve access to downtown area, expand parking facilities and improve circulation. Improve the signage and wayfinding system where possible.
Centennial Plaza	1.00	An urban community hub that reflects the history of downtown Las Vegas and supports a variety of events and group activities. Explore opportunities to re-purpose plaza space, with upgraded site furnishings, lighting, shade trees, and signage features.
Heritage Park	3.75	A neighborhood park with primarily passive recreation and playground facilities. There is an opportunity to improve the signage and wayfinding system, connectivity to trails, and re-purpose park space with limited active programs.
Ethel Pearson Park	2.60	A diverse neighborhood park with an opportunity to expand park programs that support social activities within the community. Improve safety and maintenance.
Mini Parks		
City Hall Plaza	0.57	A small, social gathering area in front of City Hall. Features with desert landscape and large solar panels.
Healing Garden*	0.25	A small park with cultural and social significance. Opportunity includes to re-think the park design to bring this space to a permanent park. Explore opportunities to commission an art installation space.
Stupak Park	0.61	A small park with active recreation and playground space to serve the nearby community.

PARK NAME	POTENTIAL ACREAGE	DESCRIPTION OF DEVELOPMENT OR IMPROVEMENT OPPORTUNITIES
Existing Parks Expansion or Closure		
Symphony Park Expansion*	0.77	Known as the M4 parcel expansion, this proposed improvement aims to extend the east-west connection with various passive programs. Opportunities include a stepped plaza, pedestrian bridge, seating terrace, gathering area and water features.
Healing Garden Expansion*	0.33	The City purchased the vacant parcels directly to the north of the existing garden, which will increase accessibility through surface parking and allow for more open space to accommodate other uses.
James Gay Park	5.99	Consider re-purposing this parkland for other uses that would benefit the City.
Planned Parks		
Downtown Central Park	2.50	An urban central park that provides multi-purpose space to support public events, social gathering, urban playspace, art and musical festival outdoor venue, large shaded lawn, walking and jogging trail.
Cashman Community Park	10.70	Re-purpose existing Cashman site to establish a multi-use outdoor sports facility and community hub for active recreation opportunities to serve downtown residents. Amenities include sports fields and courts, ADA accessible trail, wayfinding system, restroom facility and improved irrigation system. Improvements should also address shared use parking area.
Historic Westside Neighborhood Park	2.50	A neighborhood park at the central location of Historic Westside District with opportunities to define a park theme that reflects the neighborhood character. Add art and cultural features with a central gathering multiuse space.
Gateway Neighborhood Park	2.25	A neighborhood park developed to serve the increased population with passive, active and social recreation opportunities.
Viaduct Sports Park	4.00	A special use site under Highway 95 with active recreation courts, restroom facility, and parking area. Add art features and paintings to reflect local character.
Fremont Neighborhood Park	2.50	A neighborhood park with opportunities for enhanced landscaping, urban playspace, and plaza within walking distance to the Fremont corridor.
Art District Neighborhood Park	1.50	A small park and plaza with opportunities for incorporating art events, outdoor exhibitions, and social gathering activities.
Total New Parkland Acreage	*22.56*	

***Parks that have potential opportunity for expansion**



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DOWNTOWN CIVIC SPACE AND TRAILS PLAN

CITY COUNCIL MEETING
JULY 2019

PREPARED BY
DESIGNWORKSHOP

Submitted At Meeting
Date 7/17/19 Item 56

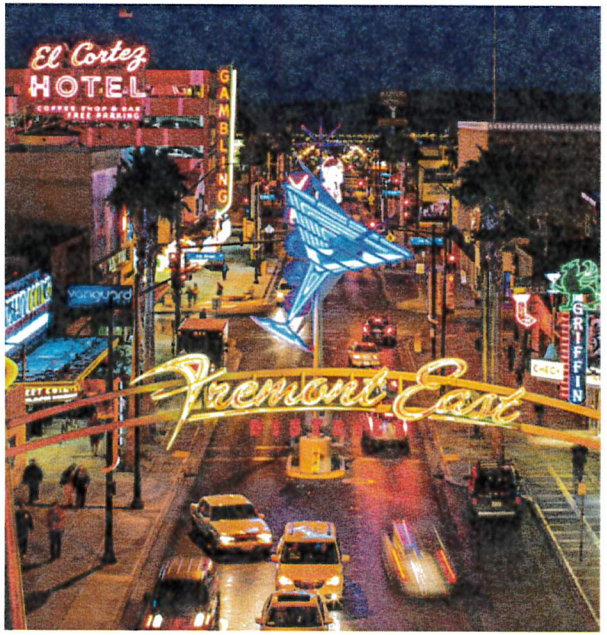
PROJECT FOCUS & OVERARCHING GOALS

- Create attractive and comfortable urban outdoor spaces to serve current and future residents and visitors
- Provide outdoor amenities with environmental, cultural and economic values that meet the needs and aspirations of the community
- Plan and manage downtown Las Vegas' parks and civic space and establish a safe and welcoming destination

PROJECT OBJECTIVES

- Create economic value and investment
- Establish park themes, art, and cultural features
- Identify and promote public private partnership (P3) opportunities
- Engage the community
- Enhance outdoor fitness and active recreation opportunities
- Connect communities with improved trails and sidewalks





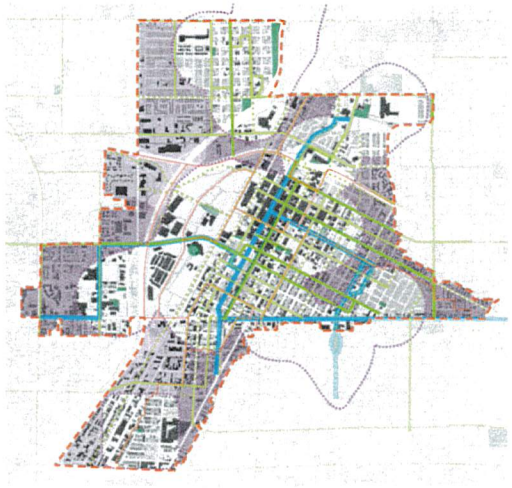




PROCESS

- Data collection and site assessments
- Review of current planning documents
- Assessment and analysis of existing inventory
- Public engagement
- Establish recommendation criteria
- Provide overall and district level recommendations
- Draft and final master plan reports for internal and public review
- Final presentation to City Council







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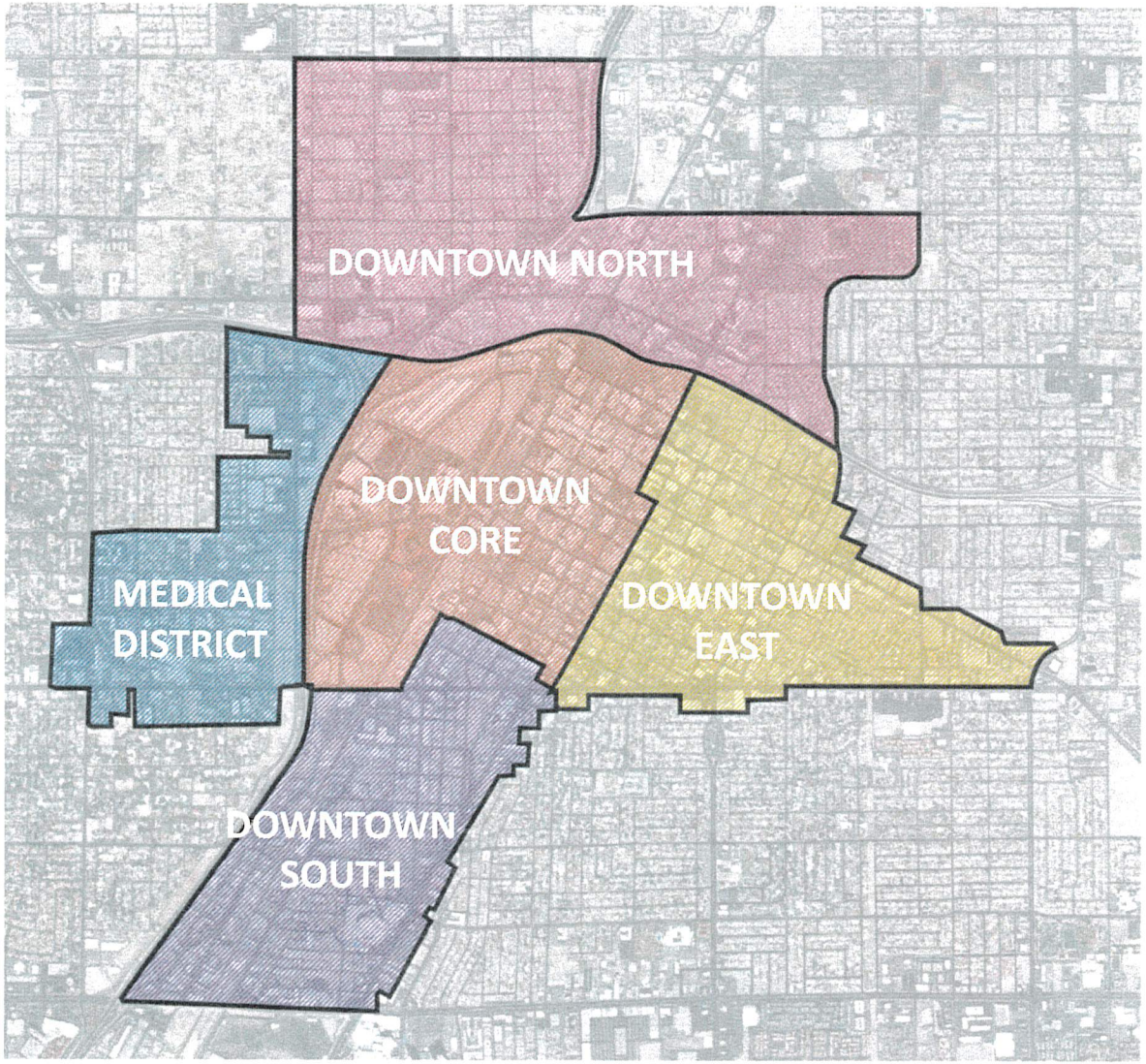
OVERALL DISTRICTS

- **Downtown Core**
  - Civic and Business
  - Symphony Park
  - Market Corridor
  - Resort and Casino
- **Downtown North**
  - Historic Westside
  - Cashman
- **Downtown South**
  - Gateway
  - Design
  - 18b Arts
- **Downtown East**
  - Fremont East
  - Founders
- **Medical District**



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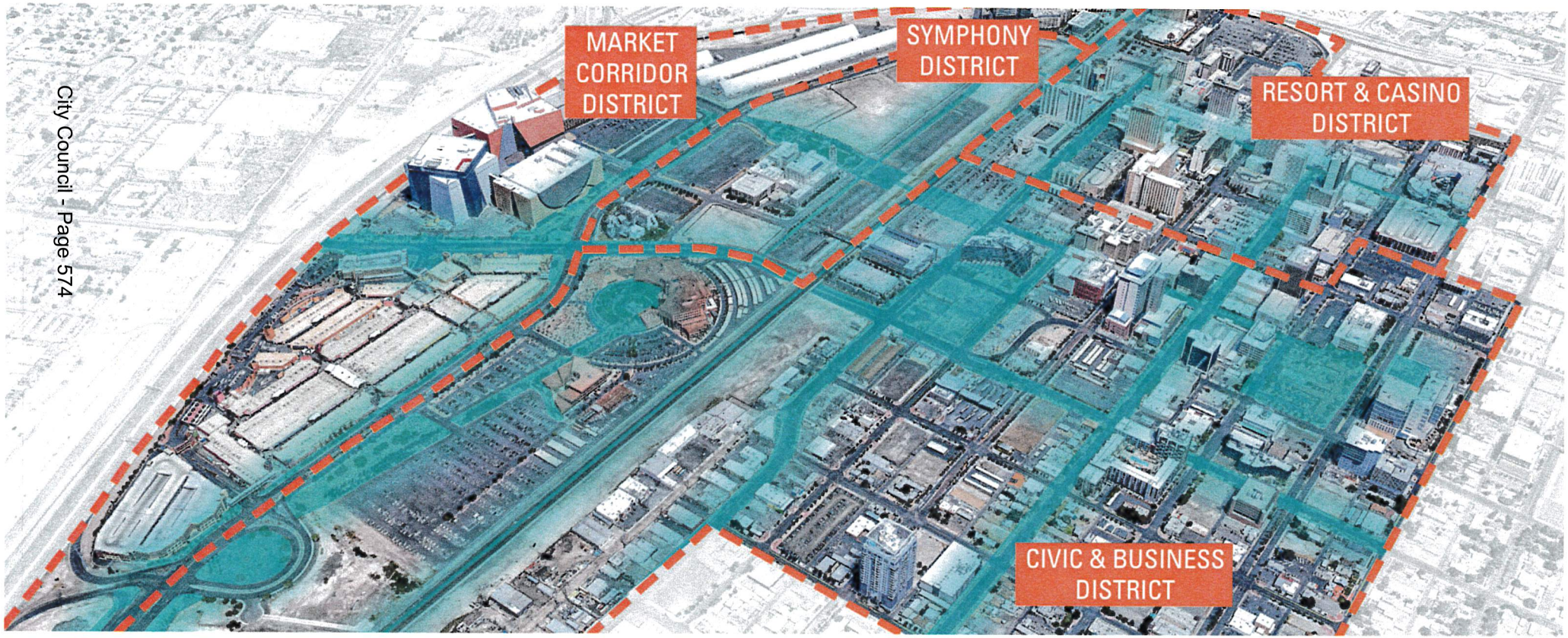
DOWNTOWN CORE

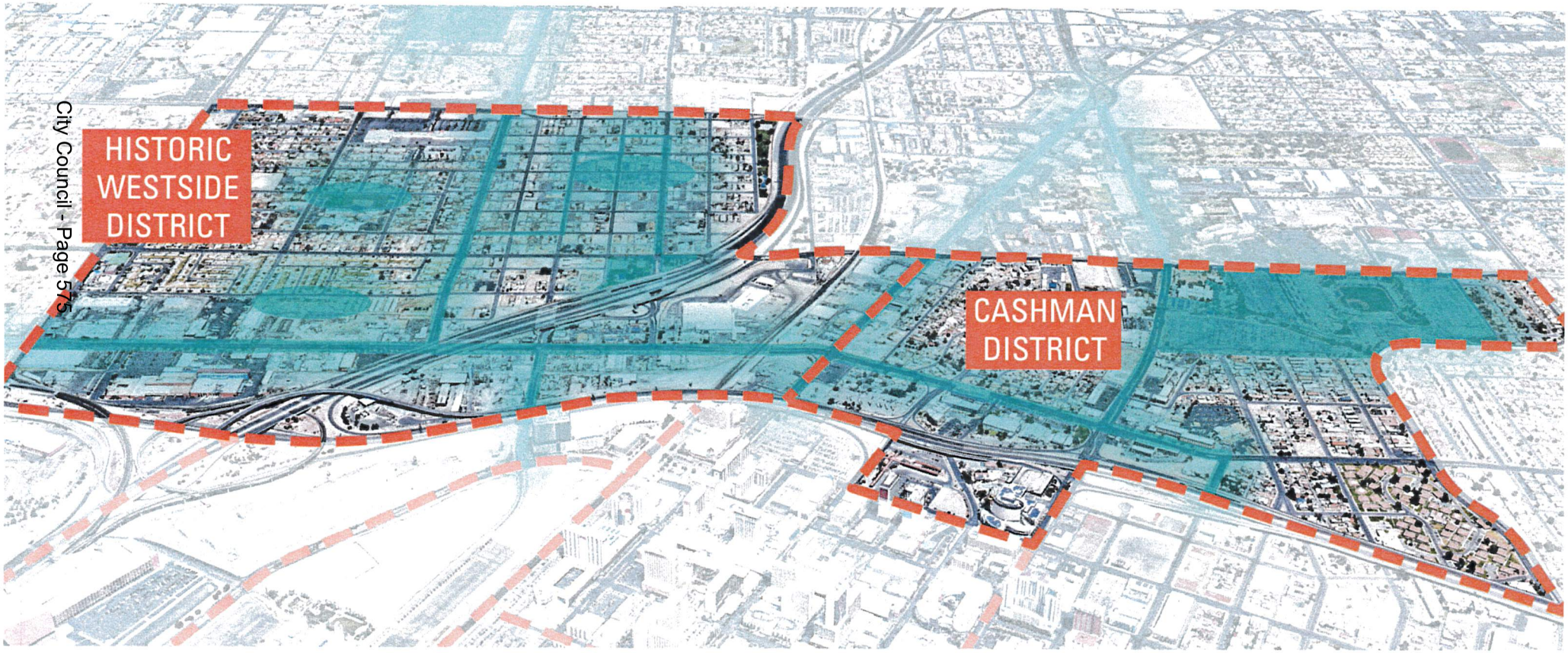
- **An employment hub with retail, commercial and civic uses. There will be an increase in population in the future for the Symphony Park District and other downtown infill projects.**

- **Opportunity to promote high density development and urban outdoor amenities to support a higher quality of working/living in the downtown area.**



DOWNTOWN NORTH

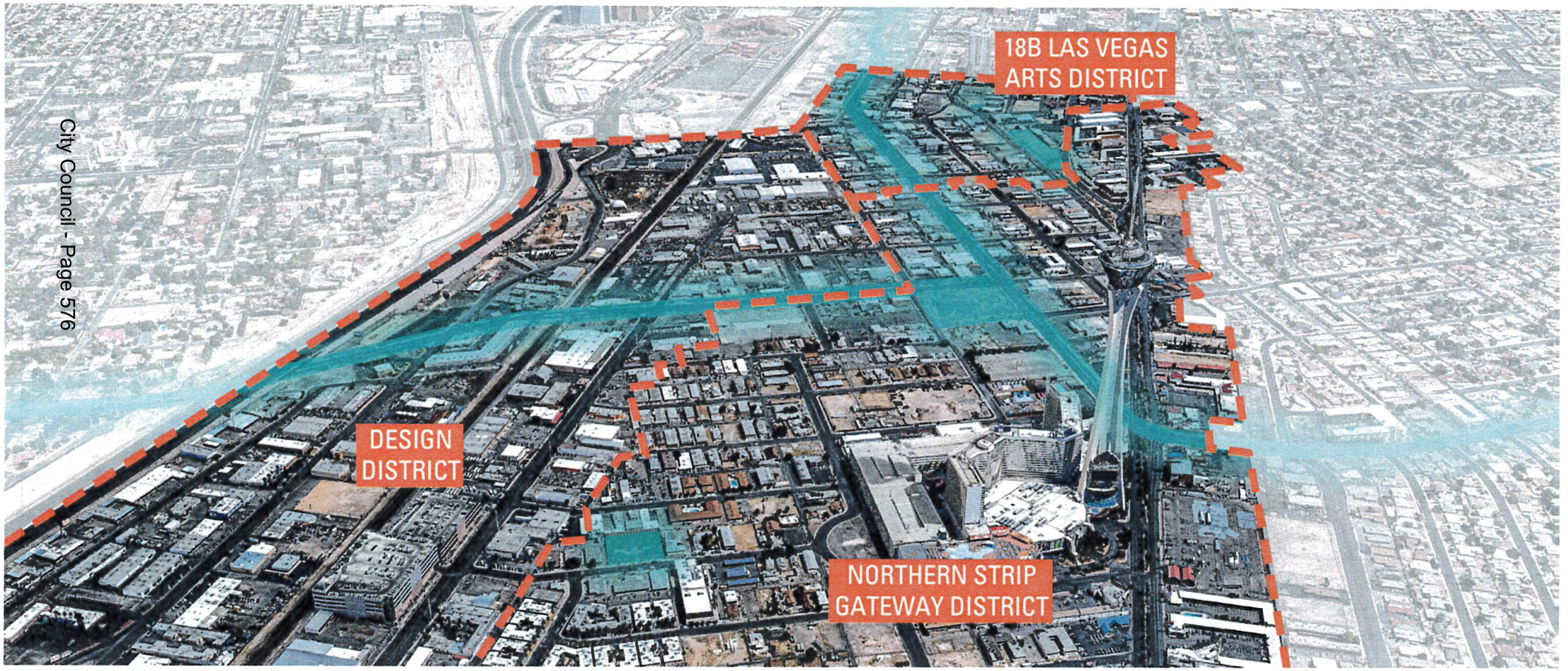
- Cultural and historic importance.
- Vacant and underused land available for development and park facilities.
- Opportunities to connect Downtown North Districts to the core area.



DOWNTOWN SOUTH

- **Primarily commercial, retail and industrial use with art focused events within the districts.**

- **Opportunities to promote infill residential development and amenities that support events, employee activities and reinforce the importance of art.**

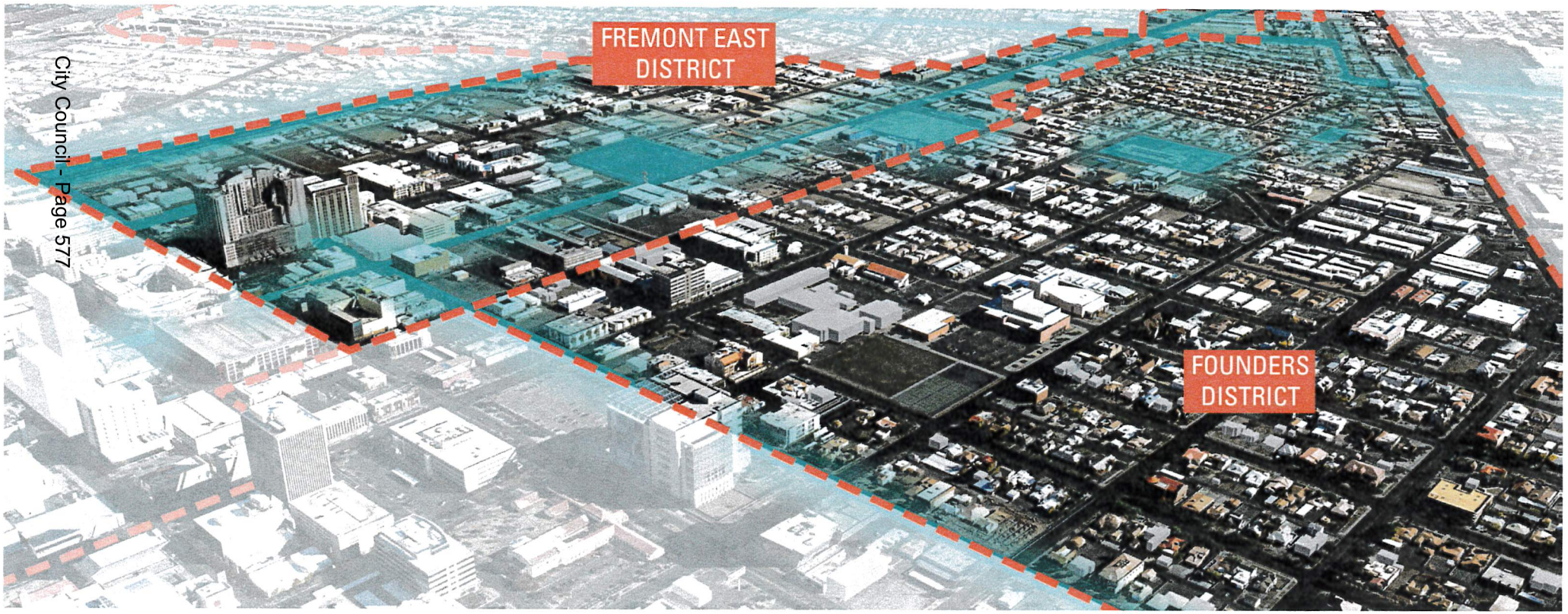


DOWNTOWN EAST

- Historically the main street to Las Vegas. Currently a mix of musical venues, restaurants, hotels and infill residential development.

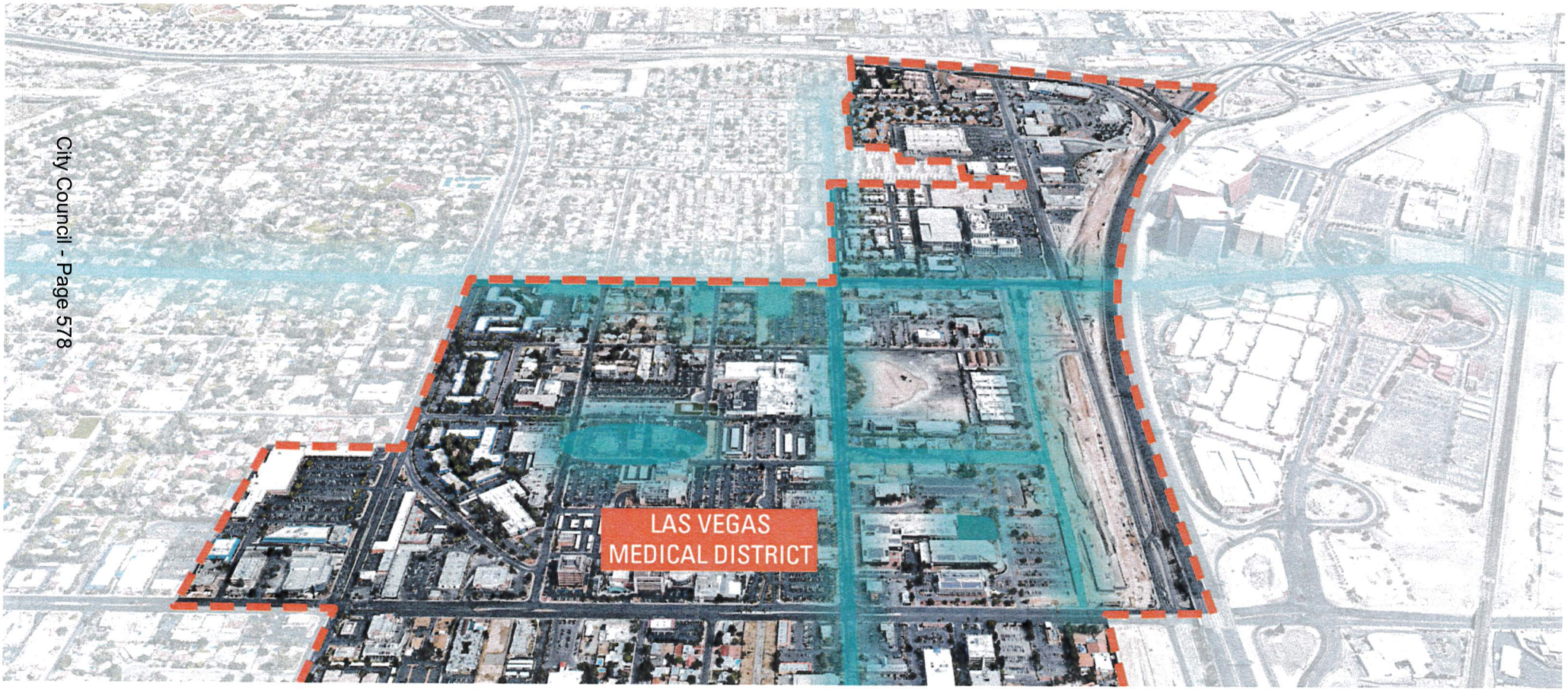
- Opportunity to preserve and celebrate this cultural importance. Create an iconic and memorable outdoor destination.

- Create an attractive and comfortable walking/biking experience.



MEDICAL DISTRICT

- **Primarily medical industry. Expected population growth with infill projects.**
- **Opportunities to create high quality amenities that support employee activities or outdoor fitness use.**



NEXT STEPS

- **Prioritization**
  - Prioritize locations and improvement types.
  - Identify and allocate funding.
  - Establish a public private partnership (P3) strategy and community collaboration opportunities.

- **Programming and Design**
  - Engage the community in the design process.

- **Maintenance and Operation**
  - Provide consistent and proper management for downtown parks.
  - Minimize safety issues.
  - Opportunity for a non-profit organization to program and manage parks.

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THANK YOU!
QUESTIONS?

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
57

DEPARTMENT: City Clerk **DISCUSSION**
DIRECTOR: LuAnn Holmes

SUBJECT:
BOARDS & COMMISSIONS:

Discussion for possible action regarding new appointments of Mayor Carolyn Goodman and Councilmembers Michele Fiore, Stavros Anthony, Cedric Crear, Brian Knudsen, Victoria Seaman and Olivia Diaz as representatives on the following boards: Chief Local Elected Officials Consortium (Diaz); City of Las Vegas Audit Oversight Committee (Knudsen and Seaman); Commission for the Las Vegas Centennial (Crear); Debt Management Commission (Seaman); Las Vegas Springs Preserve Board of Trustees (Seaman); Metropolitan Police Committee on Fiscal Affairs (Crear); Nellis Civilian Military Council Executive Board (Fiore as Alternate); Las Vegas Global Economic Alliance (Knudsen); Nevada League of Cities (Knudsen); Oversight Panel for School Facilities (Diaz); Regional Flood Control District Board of Directors (Goodman and Anthony); Regional Transportation Commission Board of Commissioners (Goodman and Anthony); Southern Nevada Enterprise Community Board (Crear); Southern Nevada Health District (Diaz and Knudsen); Southern Nevada Regional Housing Authority (Diaz); Southern Nevada Regional Planning Coalition (Seaman); Southern Nevada Water Authority (Crear) and the Yucca Mountain Nuclear Repository Committee (Seaman)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
This item is calendared after each election cycle to update appointments, as needed, for Council representation on various boards. Not all seats intended for City of Las Vegas representation required adjustment at this time as some seats are held through an election cycle “until replaced” and some seats without member changes have future term expiration dates. Because of this, the subject does not represent all seats of the Mayor and Council to outside boards and the backup should be referenced for that information.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
1. City Council Appointments Listing - Proposed Draft

CITY COUNCIL APPOINTMENTS – PROPOSED DRAFT

BOARD NAME	APPT(S)	TERM	CURRENT REPRESENTATION	ORIGINAL APPT. DATE	EXPIRATION/NOTES
Chief Local Elected Officials Consortium (Formerly Nevada Business Services [NBS] Job Training Board)	1	Until replaced	Councilwoman O. Diaz	7-17-2019	
CLV Audit Oversight Committee (These board appointments may not fall during the Election " cycle appointment process for Council members)	2	2 yrs. Must fill unexpired terms	Councilman B. Knudsen Councilwoman V. Seaman	7-17-2019 7-17-2019	7-17-2021 7-17-2021
Commission for the Las Vegas Centennial		Until replaced	Mayor C. Goodman Councilman C. Crear	7-6-2011 7-17-2019	
Debt Management Commission (Formerly General Obligation Bond Comm.) (One member also serves on the SNRPC)	1	2 yrs.	Councilwoman V. Seaman	7-17-2019	June 2021
Las Vegas Convention and Visitors Authority	2	Term of Office	Mayor C. Goodman Councilwoman M. Fiore	8-3-2016 2-21-2018	June 2023 June 2021
Las Vegas Springs Preserve- Board of Trustees	1	Term of Office	Councilwoman V. Seaman	7-17-2019	June 2023
Local Law Enforcement Advisory Committee	2	Until replaced	Councilman S. Anthony Councilman C. Crear	5-1-2019	
Mayor Pro Tem	1	Until replaced	Councilwoman M. Fiore	7-3-2019	Council Elects
Metropolitan Police Committee on Fiscal Affairs	2	Until replaced	Councilman C. Crear Councilman S. Anthony	7-17-2019 3-7-2012	
Nellis Civilian Military Council Executive Board	2	Until Replaced (Mayor and Alt.)	Mayor C. Goodman Councilwoman M. Fiore (Alt)	7-6-2011 7-17-2019	
LVGEA-LV Global Economic Alliance (formerly Nevada Development Authority)	1	2 yrs.	Councilman B. Knudsen	7-17-2019	June 2021
Nevada League of Cities		Until Replaced	Councilman B. Knudsen	7-17-2019	
Oversight Panel for School Facilities (These board appointments may not fall during the Election cycle appointment process for Council members.)	1	2 yrs.	Councilwoman O. Diaz	7-17-2019	12-31-2021
Regional Flood Control District (Members are the same as those appointed to RTC and terms should coincide.)	2	2 yrs.	Councilman S. Anthony Mayor C. Goodman	7-17-2019 5-20-2015	6-30-2021 6-30-2021
Regional Transportation Commission (Expiration date set by NRS)	2	2 yrs.	Councilman S. Anthony Mayor C. Goodman	7-17-2019 5-20-2015	6-30-2021 6-30-2021
Southern Nevada Enterprise Community Board (These board appointments may not fall during the Election cycle appointment process for Council members)		3 yrs.	Councilman C. Crear	5-16-2018	7-17-2021
Southern Nevada Health District (Formerly Cl. Co. District Bd. of Health) (Membership changed to 2 Council Elected Officials per AB380-2005)		2 yrs.	Councilwoman O. Diaz Councilman B. Knudsen	7-17-2019 7-17-2019	June 2021 June 2021
Southern Nevada Regional Housing Authority	1	2 yrs.	Councilwoman O. Diaz	7-17-2019	June 2021
Southern Nevada Regional Planning Coalition (Formerly So. Nev. Gov't Efficiency Committee) (Member also serves on Debt Management)	2	Until replaced	Councilman B. Knudsen Councilwoman V. Seaman Councilman S. Anthony (Alt)	7-17-2019 7-17-2019 7-6-2011	
Southern Nevada Water Authority	2	Until replaced (1 Member, 1 Alternate)	Councilman C. Crear Councilman S. Anthony (Alt)	7-17-2019 7-15-2009	
Tule Springs Fossil Bed Advisory Council	1	3 yrs. Must fill unexpired terms	Councilwoman M. Fiore	9-6-2017	9-12-2020

Yucca Mountain Nuclear Repository Committee	2	Until replaced	Councilman C. Crear Councilwoman V. Seaman	5-16-2018 7-17-2019	City Mgr. or designee also serves

DRAFT

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
58

DEPARTMENT: City Clerk **DISCUSSION**
DIRECTOR: LuAnn Holmes

SUBJECT:
BOARDS & COMMISSIONS:

Discussion for possible action regarding the reappointments of Audrey Asselin and Briceida Castro to the Regional Transportation Commission of Southern Nevada (RTC) Advisory Committee on Bus Bench/Shelter Construction and Maintenance

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
This Advisory Committee was created by Assembly Bill 239 to provide information and advice to the RTC concerning the construction and maintenance of benches and shelters for passengers of public mass transportation. There is no limit to the number of one-year terms which may be served and no City residency requirement. Ms. Asselin was originally appointed in 2015 and Mr. Castro was appointed in 2018. Both are eligible, have the recommendation of the Public Works Director and wish to be reappointed.

RECOMMENDATION:
Procedure for this Board requires appointment by the City Council. Options are: Reappoint Ms. Asselin and/or Ms. Castro or direct staff to bring forward an item to a future meeting to appoint new nominees.

BACKUP DOCUMENTATION:
1. Current Listing and Authority

REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA ADVISORY COMMITTEE ON BUS BENCH/SHELTER CONSTRUCTION AND MAINTENANCE

MEMBERS	ORIGINAL APPT.	TERM EXPIRES
1. AUDREY ASSELIN	4-1-2015 (Reappt. 5-4-2016) (Reappt. 8-2-2017) (Reappt. 6-20-2018)	4-1-2019
2. BRICEIDA CASTRO	6-20-2018	6-20-2019

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AUTHORITY: NRS 277A.340 (NRS Chapter 373 repealed 2009)

TERM: 1 year term
Must fill unexpired terms
No term limit

APPOINTED: 2 members appointed by the City Council

PURPOSE: Provides information and advice to the Regional Transportation Commission concerning the construction and maintenance of benches and shelters for passengers of public mass transportation in the county.

MEETINGS: 3rd Thursday every other month at 3:00 P.M.

NOTES: No City Residency Requirement
No compensation, per diem, or travel expenses

CONTACTS: Mike Janssen, Director, Public Works, City of Las Vegas

Tina Quigley, General Manager, Regional Transportation Commission, 600 S. Grand Central Parkway, Ste. 350, Las Vegas, NV 89106 702.676.1500

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
59

DEPARTMENT: City Clerk **DISCUSSION**
DIRECTOR: LuAnn Holmes

SUBJECT:
BOARDS & COMMISSIONS:

Discussion for possible action regarding the reappointment of John Perazzo to the Ward 5 seat of the Senior Citizens Advisory Board

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
Each of the six members of Council has one coterminous appointment with the appointee residing in the respective member of Council's Ward. Members may serve for an uninterrupted period of no longer than eight years (two terms). Mr. Perazzo was originally appointed in April of 2017. He is eligible, has the recommendation of the Community Services Department Director and wishes to be reappointed.

RECOMMENDATION:
Procedure for this Board is a recommendation by the appropriate member of Council with the approval of the Council or direction to staff to bring forward an item to a future meeting to appoint a different nominee for Ward 5.

BACKUP DOCUMENTATION:
1. Current Listing and Authority

SENIOR CITIZENS' ADVISORY BOARD

	MEMBERS		ORIGINAL APPT.	TERM EXPIRES
1.	YVETTE WEINSTEIN HALL **(Goodman's recommendation)**	**Ward 2 Resident**	11-2-2016 (reappt. 7-3-2019)	6-2023
2.	ELIZABETH PATTARETTU **(Goodman's recommendation)**	**Ward 6 Resident**	4-5-2017 (reappt. 7-3-2019)	6-2023
3.	KATHLEEN BIENENSTEIN **(Knudsen's recommendation)**	**Ward 1 Resident**	7-3-2019	6-2023
4.	VITO GALATI **(Seroka's recommendation)** Replaces John Bowers, Resigned	**Ward 2 Resident**	2-6-2019	6-2021
5.	NORA AVILA **(Coffin's recommendation)** Replaces Carmen Bates, Resigned	**Ward 3 Resident**	6-20-2018	6-2019
6.	DEANNE O'REAR-CAMERON **(Anthony's recommendation)**	**Ward 4 Resident**	6-21-2017	6-2021
7.	JOHN PERAZZO **(Barlow's recommendation)** Replaces JoAnn Oscars, Resigned	**Ward 5 Resident**	4-19-2017	6-2019
8.	CAROLINE MOZDEAN **(Fiore's recommendation)** Replaces Robert Marshall, Resigned	**Ward 6 Resident**	5-15-2019	6-2021

AUTHORITY: LVMC 2.46 (Ordinance #5206 Adopted 4-19-2000)
Per L.V.M.C. 2.49.010, a person is not eligible to serve on this board unless he or she is a resident of the City of Las Vegas

MEMBERS: 8 members appointed by the City Council.
Mayor nominates 2 persons for appointment residing in 2 different Wards
Each Councilmember nominates 1 person for appointment (Persons nominated must reside in Ward represented by Councilmember making nomination)
No member may serve concurrently on any other board or commission which is established by resolution or ordinance, other than one which may be established on a temporary basis only.

TERM: Serve for an uninterrupted period not longer than eight years (2 terms) (Term to be coterminous with City Councilmember, but may serve until a successor is appointed)
*In August of 2009, the City Attorney gave an opinion that members who have served two four-year terms and then had a break in service are eligible for reappointment.

NOTES: Must be a City Resident

NO FINANCIAL DISCLOSURE REQUIREMENT

DEPT. SUPPORT: Community Services

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
60

DEPARTMENT: City Clerk **DISCUSSION**
DIRECTOR: LuAnn Holmes

SUBJECT:
BOARDS & COMMISSIONS:

Discussion for possible action regarding the appointment of nominee Sigal Chattah to the Ward 2 seat of the Planning Commission

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
The Mayor and each member of the City Council appoint one member to this Commission subject to ratification by the Council. The terms are concurrent with the term of office for the appointing City Council member. All members of this board must be City residents but are not required to reside in the specific Ward of the Councilmember making the appointment. Terms are for four years with a limit of three full terms and unexpired terms must be filled. After winning her seat in the 2019 Special Election, Councilwoman Victoria Seaman must make her co-terminus appointment to fill a Planning Commission seat currently held by a temporary caretaker. Ms. Chattah is eligible and wishes to be appointed.

RECOMMENDATION:
Options are: Appoint Ms. Chattah or direct staff to bring forward an item to a future Council meeting to consider other nominees.

BACKUP DOCUMENTATION:
1. Current Listing and Authority

PLANNING COMMISSION

	MEMBERS		ORIGINAL APPT.	TERM EXPIRES
1.	SAM CHERRY **(Mayor's recommendation)** **Mayor's Appointment**	Ward 3 Resident	6-3-2015 (Reappt. 7-3-2019)	6-2023
2.	JEFF ROGAN **(Knudsen's recommendation)** **Ward 1 Appointment**	Ward 1 Resident	7-3-2019	6-2023
3.	GUS FLANGAS **(Ward 2 recommendation)** **Ward 2 Appointment** *Christina Roush resigned 5-7-2019*	Ward 2 Resident	5-15-2019	6-2021
4.	TRINITY HAVEN SCHLOTTMAN **(Coffin's recommendation)** **Ward 3 Appointment**	Ward 3 Resident	7-20-2011 (Reappt. 6-3-2015)	6-2019
5.	DONNA TOUSSAINT **(Anthony's recommendation)** **Ward 4 Appointment**	Ward 4 Resident	6-7-2017	6-2021
6.	ANTHONY WILLIAMS **(Crear's recommendation)** **Ward 5 Appointment**	Ward 6 Resident	6-5-2019	6-2023
7.	LOUIS DE SALVIO **(Fiore's recommendation)** **Ward 6 Appointment**	Ward 6 Resident	8-2-2017	6-2021

AUTHORITY: NRS 278 - L.V.M.C. 2.44
Per L.V.M.C. 2.49.010, a person is not eligible to serve on this board unless he or she is a resident of the City of Las Vegas.

(11-15-95 Ord. 3940, Bill 95-73, removed restriction that PC members could hold no other public office - this restriction was previously removed by the Legislature from NRS.)
(Amended per Bill 2001-70, Ordinance 5346, adopted 8-1-2001, to indicate financial disclosure requirement)

(Amended per Bill 2001-145, Ordinance 5409 - First Amendment, adopted 1-2-2002, to increase compensation for members from $50.00 to $80.00 per meeting attended, effective October 1, 2001 per SB554)

TERM: 4 years **(Ord. 6159 8/17/2011 - limited terms to 3 full terms but cumulatively not to exceed 12 years – excluding members who served partial terms prior to 8/1/2011)** (LVMC 2.44.020; 1-19-2000 Ord. 5193, Revised the expiration of members' terms to run concurrent with the term of the elected official recommending their appointment, although members may complete the term in the event the recommending elected official vacates office)

Must fill unexpired terms.

COMPENSATION: $80.00 per meeting attended

APPOINTED: 7 Members-each member of the City Council recommends one person for appointment to serve at the pleasure of the Council w/approval of Council. Terms are coterminous with the member making the recommendation **(Appointees may not be members of the elected governing body - NRS 278.040)**

NOTES: **MUST BE CITY OF LAS VEGAS RESIDENT.**

Per Senate Bill 147, effective June 11, 2003, compensated boards meeting certain criteria are no longer required to file State Financial Disclosure Statements. This board meets that established criteria.

MEETINGS: Meets 2nd Tuesday of each month, 6:00 PM, Council Chambers.

PURPOSE: The Planning Commission is advisory to the City Council on matters related to zoning and other related issues and serves as a final action board for Tentative and Final Maps.

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
61

DEPARTMENT: City Attorney **DISCUSSION**
DIRECTOR: Brad Jerbic

SUBJECT:
RECOMMENDING COMMITTEE: BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

Bill No. 2019-19 - For possible action - Repeals LVMC 19.10.105, pertaining to the repurposing of certain golf courses and open spaces. Sponsored by: Councilwoman Michele Fiore

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
Last year the City Council, by means of Ordinance Nos. 6617 and 6650, adopted a number of procedures and standards relative to the repurposing of certain golf courses and open spaces. Those ordinances were codified in LVMC 19.10.105. This bill would repeal that section, in effect returning to the processes and standards that would have applied had that section not been adopted.

RECOMMENDATION:
ABEYANCE to 7/15/2019 Recommending Committee Meeting by the 6/17/2019 Recommending Committee Meeting. STRIKE at the 7/17/2019 City Council Meeting pursuant to the 7/15/2019 Recommending Committee Meeting.

First Reading – 6/5/2019 First Publication – 6/6/2019

BACKUP DOCUMENTATION:
1. Bill No. 2019-19
2. Code Section being Repealed
3. Backup Submitted from the June 5, 2019 City Council Meeting
4. Protest Emails and Email with Comments/Suggestions
5. Submitted after Final Agenda - Backup Documentation Submitted from the July 15, 2019 Recommending Committee Meeting and Protest/Support Documentation Not Vetted – Letters and Emails for the July 17, 2019 City Council Meeting

BILL NO. 2019-19

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL LVMC 19.10.105, PERTAINING TO THE REPURPOSING OF CERTAIN GOLF COURSES AND OPEN SPACES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilwoman Michele Fiore

Summary: Repeals LVMC 19.10.105, pertaining to the repurposing of certain golf courses and open spaces.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Ordinance No. 6289 and the Unified Development Code adopted as Title 19 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended as set forth in Sections 2 and 3 of this Ordinance. The amendments in those Sections are deemed to be amendments to both Ordinance No. 6289 and the Unified Development Code adopted as Title 19.

SECTION 2: Title 19, Chapter 16, Section 105, is hereby repealed in its entirety.

SECTION 3: Title 19, Chapter 18, Section 20, is hereby amended by amending the definition of the term "Open Space" to read as follows:

Open Space. Any parcel or area of land or water that:

1. [As part of, and in consideration of development approval, has] Has been or is to be formally set aside, dedicated, designated, or reserved for public use or enjoyment or for the private use and enjoyment of owners and occupants of land adjoining or neighboring such area; and

2. Is either unimproved or includes only improvements that pertain to or are incidental to the intended use and enjoyment of the area. Such improvements may include structures, amenities, landscaping, paving or other surface treatments that provide for or facilitate recreation and enjoyment, or that provide for support and maintenance of the area for its intended purposes.

SECTION 4: For purposes of Section 2.100(3) of the City Charter, Section 19.18.020 is deemed to be a subchapter rather than a section.

SECTION 5: The Department of Planning is authorized and directed to incorporate into

the Unified Development Code the amendments set forth in Sections 2 and 3 of this Ordinance.

SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2019.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 5-21-19
_____
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2019, and referred to a committee for recommendation, the committee being composed of the following members _____; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2019, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

19.16 APPLICATIONS & PROCEDURES

19.16.105 Repurposing of Certain Golf Courses or Open Spaces

A. **General.** Except as otherwise provided in this Section, any proposal by or on behalf of a property owner to repurpose a golf course or open space, whether or not currently in use as such, is subject to the Public Engagement Program requirements set forth in Subsections (C) and (D), as well as the requirements pertaining to the Development Review and Approval Process, Development Standards, and the Closure Maintenance Plan set forth in Subsections (E) to (G), inclusive. The requirements of this Section apply to repurposing a golf course or open space located within 1) an existing residential development, 2) a development within an R-PD District, 3) an area encompassed by a Special Area Plan adopted by the City, or 4) an area subject to a Master Development Plan within a PD District. For purposes of this Section, "repurposing" includes changing or converting all or a portion of the use of the golf course or open space to one or more other uses.

B. **Exceptions.** This Section does not apply to:

1. Any project that has been approved as part of the City of Las Vegas Capital Improvement Plan.
2. Any project that is governed by a development agreement that has been approved pursuant to LVMC 19.16.150.
3. The repurposing of any area that has served as open space pertaining to a nonresidential development where that open space functions as an area for vehicle parking, landscaping, or any similar incidental use.
4. The reprogramming of open space recreational amenities that simply changes or adds to the programming or activities available at or within that open space.
5. The repurposing of any area where the currently-required development application or applications to accomplish the repurposing already have been approved by the approval authority, with no further discretionary approval pending.

C. **Public Engagement Program Requirements.** In connection with the scheduling of a preapplication conference pursuant to LVMC 19.16.010(B)(5), the applicant for a repurposing project subject to this Section must provide to the Department in writing a proposed Public Engagement Program meeting the requirements of this Subsection (C). The requirements of Subsections (C) and (D) must be completed before the submission and processing of the land use application(s) to which the pre-application conference applies. A PEP shall include, at a minimum, one in-person neighborhood meeting regarding the repurposing proposal and a summary report documenting public engagement activities. The applicant is encouraged, but not required, to conduct additional public engagement activities beyond those required by the preceding sentence. Additional public engagement activities may include, but are not limited to, the following components:

1. Applicant's Alternatives Statement. This document is designed to inform the Department and stakeholders about the applicant's options and intentions, including the following statements:
   a. A statement summarizing the alternatives if the golf course or open space is not repurposed and the current use of the property ceases.
   b. A statement summarizing the rationale for repurposing in lieu of continuing to operate or maintain the golf course or open space, or finding another party to do so.
   c. A statement summarizing the proposal to repurpose the golf course or open space with a compatible use.

d. A statement summarizing how the applicant's proposal will mitigate impacts of the proposed land uses on schools, traffic, parks, emergency services, and utility infrastructure.

e. A statement summarizing the pertinent portions of any covenants, conditions and restrictions for the development area and the applicant's intentions regarding compliance therewith.

f. If applicable, a statement summarizing any negotiations with the City in regards to a new or amended Development Agreement for the area.

2. Neighborhood Meeting. The PEP shall include at a minimum the neighborhood meeting that is described in this Subsection (C). Notice of such meeting shall be provided in general accordance with the notice provisions and procedures for a General Plan Amendment in LVMC Title 19.16.030(F)(2), except that no newspaper publication is required and the providing of notice shall be the responsibility of the applicant rather than the City. The applicant shall develop a written plan for compliance with the notice requirements of the preceding sentence, which shall be submitted to the Department for review and approval in advance of implementation. The required neighborhood meeting must be scheduled to begin between the hours of 5:30 pm and 6:30 pm, except that the Department in particular cases may require that a meeting begin earlier in the day to allow greater participation levels. Additional neighborhood meetings are encouraged, but not required.

3. Design Workshops. The applicant may provide conceptual development plans at design workshops and solicit input from stakeholder groups. The applicant is encouraged (without requirement or limitation) to provide separate design workshops for each of the following stakeholder groups, as applicable:

a. Owners of properties that are adjacent to the area proposed for repurposing;

b. The owners of all other property within the same subdivision (master subdivision, if applicable), Master Development Plan Area or Special Area Plan area; and

c. Local neighborhood organizations and business owners located within the same Master Development Plan Area or Special Area Plan area.

D. **Summary Report.** Upon completion of a PEP, the applicant shall provide a report to the Department detailing the PEP's implementation, activities and outcomes. The summary report shall be included with any land use entitlement application related to a repurposing proposal. To document the applicant's public engagement activities, the summary report shall include the following, as applicable:

1. The original Applicant's Alternatives Statement.
2. Any revised Applicant's Alternatives Statement that has been produced as a result of the process.
3. Affidavit of mailings pertaining to the mailing of notice of the Applicant's Alternative Statements to prescribed stakeholders, and of the means by which the Alternatives Statements were made available to stakeholders.
4. Affidavits of mailings for the notices to prescribed stakeholders for all required neighborhood meetings and any design workshops,
5. Scanned copies of any and all sign-in sheets that were used for all required neighborhood meetings and any design workshops.
6. Meeting notes that may have been taken from all required neighborhood meetings and any design workshops.
7. Electronic copy of a spreadsheet with all comments received at meetings and workshops and the applicant's statement of how each of those comments were addressed, if applicable.
8. Affidavit of mailing for, and results of, a public engagement survey sent to all meeting and workshop attendees.
9. Accounting of City staff time devoted to required neighborhood meetings and any design workshops.
10. A copy of all materials distributed or displayed by the applicant at all neighborhood meetings and design workshops.
11. Statements from any facilitator of design workshops summarizing the input and results.
12. A statement acknowledging that additional public comment heard through a land use application's public hearing process will be taken into consideration by the applicant.

E. **Development Review and Approval Process.**

1. Purpose. The City's review of golf course or open space repurposing projects is intended to ensure that:
   a. The proposed repurposing is compatible and harmonious with adjacent development;
   b. The proposed repurposing is consistent with the General Plan, this Title and other duly-adopted City plans, policies and standards;
   c. Impacts of the proposed repurposing on schools, traffic, parks, emergency services, utility infrastructure, and environmental quality are mitigated;
   d. Open space is preserved in furtherance of the goals and objectives of the City's 2020 Master Plan with regard to the preservation of open space; and
   e. Appropriate measures are taken to secure and protect the public health, safety and general welfare.
2. General Provisions.
   a. Development of the area within a repurposing project subject to this Section will be governed by a development agreement and specific standards adopted by the City in conjunction with applications filed pursuant to this Title. The approval of a development agreement and these applications (the "Development Approvals") will include design criteria, infrastructure and public facility requirements, allowable land uses and densities, etc.
   b. Development of the area within a repurposing project shall be in accordance with all applicable City Plans and policies, including the Centennial Hills Sector Plan, the Las Vegas 2020 Master Plan (and subsequent City of Las Vegas Master Plans) and Title 19.
   c. Any General Plan Land Use designation and/or Special Area Plan Land Use designations that pertain to the area within a repurposing project shall be proposed to be made consistent with that of the proposed density and use of the project by means of a request to do so that is filed concurrently with any other required application. The means of doing so, whether by a General Plan Amendment or Major Modification, shall be determined in accordance with the Land Use & Rural Neighborhood Preservation Element of the Las Vegas 2020 Master Plan, as may be amended from time to time.
3. Additional Application Submittal Requirements. In addition to the requirements for submitting an application for Site Development Plan Review as detailed in LVMC 19.16.100, or any other required application under Title 19, the applicant for a repurposing project subject to this Section must submit the following items in conjunction with any such applications:
   a. A certificate of survey regarding the repurposing project area, depicting:
      i. Legal property description lot, block, subdivision name;
      ii. Name, address, and phone number of property owner and developer;
      iii. Bearings and lot line lengths;
      iv. Building locations and dimensions;
      v. Existing grade contours;
      vi. Proposed grade contours;
      vii. North arrow and scale;
      viii. Street name and adjacent street names;
      ix. Benchmark and benchmark locations;
      x. Complete name, address and phone number of engineering firm;
      xi. Drainage arrows;
      xii. List of symbols;
      xiii. Registered Surveyor number and signature;
      xiv. Wetlands, conservation easements, and flood zone and elevation, if applicable;

xv. Location of any wells or septic drain field or septic tanks; and

xvi. Other existing easements (public or private) of record.

b. A proposed master land use plan for the repurposing project area, depicting:

i. Areas proposed to be retained as golf course or open space, including acreage, any operation agreements, and easement agreements;

ii. Areas proposed to be converted to open space, including acreage, recreational amenities, wildlife habitat, easements, dedications or conveyances;

iii. Areas proposed to be converted to residential use, including acreage, density, unit numbers and type;

iv. Areas proposed to be converted to commercial use, including acreage, density and type; and

v. Proposed easements and grants for public utility purposes and conservation.

c. A density or intensity exhibit for the repurposing project area, depicting:

i. Developed commercial gross floor areas and residential densities;

ii. Undeveloped but entitled commercial gross floor area and residential densities;

iii. Proposed residential densities; and

iv. Proposed commercial gross floor areas.

d. For a repurposing project area of one acre or more in size, an environmental assessment worksheet for the repurposing project area, consisting of:

i. Documentation of the project's impacts on wildlife, water, drainage, and ecology; and

ii. A copy of a Phase I environmental site assessment report for the repurposing project area.

e. For a repurposing project area of one acre or more in size, conceptual master studies that have been conditionally approved by the Department of Public Works prior to submittal of any formal Title 19 application, including:

i. A conceptual master drainage study (for any repurposing project of 2 acres or larger in size);

ii. A conceptual master traffic study for any repurposing project that will generate 100 or more peak hour trips; and

iii. A conceptual master sanitary sewer study. Regarding this study, the applicant must contact the City's Sanitary Sewer Planning Section to submit the initial draft of the study, to address all comments provided by that Section, and thereafter to receive approval of the study. The study shall identify locations where public sewer easements with drivable access will be provided to service the proposed development by gravity means. The study shall also include the total land use(s) proposed, anticipated connection point(s) to existing sewer system, calculations and exhibits to identify diameter and capacity of all on-property and off-property sewer improvements necessary to meet the needs of the development and the City.

f. For a repurposing project area of one acre or more in size, a 3D model of the repurposing project with accurate topography to illustrate potential visual impacts, as well as an edge condition cross section with improvements callouts and maintenance responsibility.

g. One or more construction and development phasing plans for any repurposing project to be completed in more than one phase.

h. A PEP Summary Report as required pursuant to Subsection (D).

F. **Development Standards.** Except as otherwise provided in this Subsection (F), each repurposing project subject to this Section shall conform to the standards as set forth in LVMC Chapters 9.02, 19.06 and 19.08, as well as any applicable development agreements and special area plans. In addition, in connection with the consideration of any development applications filed pursuant to LVMC Chapter 19.16, the Planning Commission and City Council shall take into account (and may impose conditions and requirements related to) the purpose set forth in Paragraph (1) of Subsection (E) of this Section, as well as the standards and considerations set forth in this Subsection (F).

1. When new development within the area of the repurposing project will be adjacent to existing residential development, the new development shall:
    a. Provide minimum setbacks that meet or exceed those of the existing development.
    b. Ensure that accessory structures are limited to a height of one story and 15 feet.
    c. Provide screening of the uses and equipment listed in LVMC 19.08.040(E)(4) so that they are screened from view from all existing residential development adjacent to the repurposing project area and from public view from all rights-of-way, pedestrian areas, and parking lots.
    d. Provide landscape buffering on all lots adjacent to existing residential development.
    e. Screen all parking lots within the repurposing project area from view of existing residential properties adjacent to that area.
2. Existing channels or washes shall be retained or the developer shall provide additional means for drainage and flood control, as shown in a master drainage study approved by the Department of Public Works.
3. Where repurposing will result in the elimination or reduction in size of a contiguous golf course or open space, the developer shall consider providing for other facilities or amenities or resources that might help offset or mitigate the impact of the elimination or reduction.
4. The additional requirements imposed by this Subsection (F) shall not apply to the repurposing of property that is governed by covenants, conditions and restrictions (CC&R's) which address the repurposing of gold courses or open spaces in any manner whatsoever, whether or not the provisions of those CC&R's are similar to or consistent with this Section. This exemption applies whether or not there is any likelihood that the applicable provisions of the CC&R's will be enforced.

G. **Closure Maintenance Plan.** At any time after the Department becomes aware that a golf course that would be subject to this Section if repurposed has ceased operation or will be ceasing operation, the Department may notify the property owner of the requirement to comply with this Section. Similarly, at any time after the Department becomes aware that an open space that would be subject to this Section if repurposed has been withdrawn from use or will be withdrawn from use, the Department may notify the property owner of the requirement to comply with this Section. Any such notification shall be by means of certified mail and by posting at the subject site. Within 10 days after the mailing and posting of the notice, the property owner shall meet with the Department to discuss the proposed plans for the property and process of complying with this Section. Within 30 days after the mailing and posting of the notice, the property owner shall submit to the Department a closure maintenance plan ("the maintenance plan") for review by the Department.

1. Purpose. The purpose of a maintenance plan is to address and protect the health, safety, and general welfare of occupants of properties surrounding the subject site, as well as to protect the neighborhood against nuisances, blight and deterioration that might result by the discontinuance of golf course operations or the withdrawal from use of an open space. The maintenance plan will accomplish those objectives by establishing minimum requirements for the maintenance of the subject site. Except as otherwise provided in the next succeeding sentence, the maintenance plan must ensure that the subject site is maintained to the same level as existed on the date of discontinuance or withdrawal until a repurposing project and related development applications have been approved pursuant to this Title. For discontinuances or withdrawals occurring before the effective date of this Ordinance, the required maintenance level shall be as established by the Department, taking into account the lapse of time, availability of resources, and other relevant factors.

2. Maintenance Plan Requirements. In addition to detailing how the subject property will be maintained so as to be in compliance with LVMC Chapter 9.04, LVMC 16.02.010, and LVMC 19.06.040(F), the maintenance plan must, at a minimum and with respect to the property:

    a. Ensure that all exterior areas are kept free from dry vegetation, tumbleweeds, weeds, bushes, tall grass, and trees which present a visual blight upon the area, which may harbor insect or rodent infestations, or which are likely to become a fire hazard or result in a condition which may threaten the health, safety or welfare of adjacent property owners or occupants;

b. Provide security and monitoring details;

c. Establish a service or other contact information by which the public may register comments or complaints regarding maintenance concerns;

d. Provide documentation regarding ongoing public access, access to utility easements, and plans to ensure that such access is maintained;

e. Detail how all applicable federal, state and local permitting requirements will be met; and

f. Provide any additional or supplemental items the Department may determine are necessary in connection with review of the maintenance plan.

3. Maintenance Plan Neighborhood Meeting. The property owner shall conduct a neighborhood meeting regarding the proposed maintenance plan, which shall be a prerequisite to final approval of the maintenance plan. Notice of such a meeting shall be provided in general accordance with the notice provisions and procedures for a General Plan Amendment in LVMC 19.16.030(F)(2), except that no newspaper publication is required and the providing of notice shall be the responsibility of the applicant rather than the City. In addition, notice of the meeting shall be provided to the Department at least 10 calendar days in advance of the meeting.

4. A maintenance plan that has been approved by the City may be recorded against the property at the property owner's expense.

5. Failure to comply with the provisions of this Subsection (G) or with the terms of an approved maintenance plan:

   a. Shall be grounds for the denial of any development application under this Title that would be required for a repurposing project subject to this Section;

   b. Is unlawful and may be enforced by means of a misdemeanor prosecution; and

   c. In addition to and independent of any enforcement authority or remedy described in this Title, may be enforced as in the case of a violation of Title 6 by means of a civil proceeding pursuant to LVMC 6.02.400 to 6.02.460, inclusive.

(Ord. 6650 § 3, 11/07/18)

June 5, 2019
9:00 AM

43. Bill No. 2019-19 - Repeals LVMC 19.10.105, pertaining to the repurposing of certain golf courses and open spaces. Sponsored by: Councilwoman Michele Fiore

Please Note my OBJECTION, once again, to Mayor Goodman participating in any matter before the City that deals with 'Golf Course Redevelopment' as her son, Ross Goodman and his Clients, involved in the Silvesrtone Golf Course and at least TEN other golf courses in California. Michael Schlesinger and Ron Richards, using D-Day Capital are the largest predatory business in the US, closing, killing golf courses and destroying the communities they are in.

The Mayor's son is in the Marijuna business, yet she recuses herself for those issues, this is more prevalent and extensive, having a Relationship that goes back to 2010. Ross Goodman also even represented the Homeowners of Mtn Spa in a case against Pulte and the CCRs of Silverstone in the early 2000's. I don't see it possible for any decision on a golf redevelopment issue that would not be a conflict for the Mayor, she should do in Golf Cases as she does in Marijuana Cases before the City and ABSTAIN from participating. Behavior of this manner can only result in an Ethics Complaint and would put another black mark on what is an unfortunate issue all around for the City of las Vegas.

Patrick Spilotro, 8177 Bay Colony, LV, NV 89131



Submitted at City Council
Date 6/5/19 Item 43
By: Patrick Spilotro

Mayor Goodman knew back in Sep of 2015 that she had a possible Confict,

Said she would recuse herself, abstain, if any matter concerning Silverstone

came before the City Council as her son is in the Golf Course Redevelopment

buusiness - repeal of the City Golf Course ordinances would benefit her son

and his clients directly - she should NOT be voting on 'Golf Course issues' at the City!

From: Lora Kalkman <lkalkman@LasVegasNevada.GOV>
Sent: Tuesday, September 22, 2015 10:24 AM
To: [redacted]
Cc: Steven Ross
Subject: [redacted] Email to Mayor Goodman

Good Morning, Mr. and Mrs. [redacted]:

Thank you for taking the time to write to me. I understand your concerns and how this unexpected turn of events is very worrisome for local residents. Please be assured that we in the City are aware of the situation and are working toward an agreeable resolution. I am copying your Ward 6 City Councilman, Steve Ross, who is leading the effort. Your activism is greatly appreciated.

Regarding my son, one of the benefits of having talented children grow up is that they are independent and make their own decisions. From time to time those decisions may create a conflict for me. Such is the case in this matter, and should my son remain as co-counsel and come before the City Council for any reason, I will abstain. At this point, the parties are trying to resolve the legal dispute privately.

Again, thank you for writing.

Sincerely,

Carolyn G. Goodman

Mayor, City of Las Vegas
Las Vegas City Hall
495 S. Main Street
Las Vegas, Nevada 89052

9-2015

michael schlesinger

From:	michael schlesinger
Sent:	Tuesday, September 01, 2015 12:27 PM
To:	Singson, Alexandria; Schreiner, Tracy
Cc:	Honig, Amber; Ronald Richards; Slinger, Mike; Valle, Maricela; Valenzuela, Rosa; Schlageck, Patricia; McDole, Kelly; Moreno, Teresa; Pak, Jason; Zowarka, Darrin
Subject:	URGENT Escrow No. 41842 x46 / NBU 41854 X52 / 5600 Cupp Drive Las Vegas, NV
Attachments:	SKMBT_C454e15090109220.pdf; 082615 Invoice 1298326.pdf; ATT00001.txt

Tracy/Alexandria,

Hopefully we are in a position to close today. I believe that buyer has completed its requirements besides the Declaration of Value form will be coming from Ronald Richards under separate cover shortly. Please let us know if we need to follow up with anything with the seller to insure a closing today,

Please make the following changes to the closing statement (in applicable order)

ADD credit for buyers wire from yesterday for $4,345,000 REMOVE other association fees and charges to Silverstone Ranch Community See attached corrected invoice for Cambra Management for $63,750 (no change required) CHANGE operations account funding to WGEP from $75,000 to $65,000 (revised invoice is attached, wiring instructions to follow shortly) ADD $7500 invoice to Goodman Law Group attached with wiring instructions) See attached invoice for Slater Hanifan (no change required) Please REMOVE the placeholders for contracts, income and association fees

Please resend as soon as possible so we can execute and authorize closing.

Thank you!

9-26-2018

CERTIFICATE OF SERVICE

I certify that I am an employee of BAILEY❖KENNEDY and that on the 26th day of September, 2018, service of the foregoing **AEVITAS CAPITAL, LLC's MOTION TO DISMISS UNDER N.R.C.P.12(B)(2)** was made by mandatory electronic service through the Eighth Judicial District Court's electronic filing system and/or by depositing a true and correct copy in the U.S. Mail, first class postage prepaid, and addressed to the following at their last known address:

MARK E. FERRARIO JACOB D. BUNDICK ALAYNE M. OPIE **GREENBERG TRAURIG, LLP** 3773 Howard Hughes Parkway, Ste. 400 N Las Vegas, NV 89169	Email: ferrariom@gtlaw.com bundickj@gtlaw.com opiea@gtlaw.com *Attorneys for Plaintiff in Intervention* SILVERSTONE RANCH COMMUNITY ASSOCIATION
DANIEL R. MCNUTT MATTHEW C. WOLF **MC NUTT LAW FIRM, P.C.** 625 South Eighth Street Las Vegas, NV 89101	Email: drm@mcnuttlawfirm.com mcw@mcnuttlawfirm.com *Attorneys for Intervenor Defendants* Stoneridge Parkway, LLC and Danny Modaberpour
SAUL S. ROSTAMIAN DIANA HUGHES LEIDEN **WINSTON & STRAWN LLP** 333 South Grand Avenue, Ste. 3800 Los Angeles, CA 90071	Email: srostamian@winston.com dhleiden@winston.com *Attorneys for Intervenor Defendant* Stoneridge Parkway, LLC
KIMBERLY P. STEIN BRIAN W. BOSCHEE **HOLLEY DRIGGS WALCH FINE WRAY PUZEY & THOMPSON** 400 South Fourth Street, 3rd Fl. Las Vegas, NV 89101	Email: kstein@nevadafirm.com bboschee@nevadafirm.com *Attorneys for Defendants* Desert Lifestyles and Western Golf Properties
ROSS C. GOODMAN 520 South Fourth Street, 2nd Fl. Las Vegas, NV 89101	Email: ross@rossgoodman.com *Attorneys for Defendants* D-Day Capital, LLC

/s/ Sharon L. Murnane
Employee of BAILEY❖KENNEDY

BAILEY❖KENNEDY
8984 SPANISH RIDGE AVENUE
LAS VEGAS, NEVADA 89148-1302
702.562.8820

2010 - RICHARDS & GOODMAN

JUDG

DISTRICT COURT

CLARK COUNTY, NEVADA

GLENN MURRAY, Plaintiff, Vs. KENNETH JOWDY; DOES I through X, inclusive, Defendant. KENNETH JOWDY, Third-Party Plaintiff, Vs. PHILIP KENNER, an individual; DOES I through X, inclusive, and ROE CORPORATIONS I through X, inclusive, Third-Party Defendants.	Case No. 08A571984 Dept. No. XIII

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND JUDGMENT

This matter came on for trial before the bench on the 1st, 2nd, 3rd and 9th days of December 2010 before Department XXII of the Eighth Judicial District Court, in and for Clark County, Nevada, with JUDGE SUSAN H. JOHNSON presiding; Plaintiff GLEN MURRAY appeared by and through his attorneys, ROSS C. GOODMAN, ESQ. and RONALD RICHARDS, ESQ.; Defendant/Third-Party Plaintiff KENNETH JOWDY appeared by and through his attorneys, MICHAEL K. WALL, ESQ. and PATRICIA LEE, ESQ. of the law firm, HUTCHISON & STEFFEN; and Third-Party Defendant PHILIP KENNER appeared in *pro se*. Having reviewed the

SUSAN H. JOHNSON
DISTRICT JUDGE
DEPARTMENT XXII

☐ Voluntary Dis	☐ Stip Dis	☐ Sum Jdgmt	FINAL DISPOSITIONS
☐ Involuntary (stat) Dis	☐ Stip Jdgmt	☐ Non-Jury Trial	☐ Time Limit Expired
☐ Jdgmt on Arb Award	☐ Default Jdgmt	☐ Jury Trial	☐ Dismissed (with or without pre...
☐ Mtn to Dis (by deft)	☐ Transferred		☐ Judgment Satisfied/Paid in ful

Stacey Campbell

From: James Holt <jholt464@gmail.com>
Sent: Sunday, July 7, 2019 5:46 PM
To: Brian Knudsen
Cc: LuAnn D. Holmes; Holt James
Subject: BILL 2019-19 - Repel Vote Comments

EXTERNAL EMAIL

Councilman Knudsen,

I very much support the Open Space Ordinance pertaining to the repurposing of certain golf courses and open spaces championed by Council member Seroka and supported by others and approved by the Council in a 4:2 vote. I **very much oppose** repealing the Open Space Ordinance being considered by the Recommending Committee on July 15, 2019, and the City Council Meeting on July 17, 2019. This attempt to repeal the ordinance is an attack on the hard fought protections for affected neighborhoods all over Las Vegas. I **strongly urge** the Council to vote to keep the Open Space Ordinance as previously approved!

I request my comments be recorded for the Recommending Committee on July 15, 2019 and the City Council Meeting on July 17, 2019.

This email sent to Sally Christensen at the request of Becky Skouson during her absence.

James L. Holt
9604 Camden Hills Ave
Las Vegas, NV 89145
702-677-9754

Stacey Campbell

From: louise francoeur <louisefrancoeur1@gmail.com>
Sent: Sunday, July 7, 2019 7:01 PM
To: Brian Knudsen
Cc: zgomes@lasvegasnevada.gov; LuAnn D. Holmes
Subject: Bill 2019-19-REPEAL VOTE COMMENTS

EXTERNAL EMAIL

Dear Councilman Knudsen,

I understand that there is a proposal to repeal the Open Space Ordinance pertaining to the re-purposing of certain golf courses and open spaces. This was just recently adopted and has not been given a fair chance to be implemented. Why the rush? When the ordinance was adopted, Councilmembers Seroka, Crear, Tarkanian and Coffin voted to pass the ordinance. I am against the rushed repeal and believe that the Open Space Ordinance is in the best interest of Las Vegas residents, and it should be given a fair chance before such a quick repeal. I urge the Council to vote against the repeal.

Thank you for your consideration, and I request that my comments be recorded for the Recommending Meeting on July 15th and City Council on July 17th, 2019.

Kind Regards,

Louise Francoeur

---------- Forwarded message ---------
From: **Marwan Takieddine** <nhe9255@gmail.com>
Date: Sun, Jul 7, 2019 at 3:22 PM
Subject: Fwd: BILL 2019-19-REPEAL VOTE
To: <mfiore@lasvegasnevada.gov>, <fdorchuck@lasvegasnevada.gov>, <MTakieddine@nkdhc.com>, Marwan Takieddine <nhe9255@gmail.com>, <ldholmes@lasvegasnevada.gov>, <ldholmes@lasvegasnevada.gov>

RE: BILL 2019-19 REPEAL VOTE

The Honorable Michele Fiore
City Council
Las Vegas, NV

Dear Councilwoman Fiore:

I am a specialist in Nephrology & Internal Medicine. I have been an an active member of the Medical Community since 1994. I take pride in my contributions to the welfare of the sick and disabled among.

I moved to San Michelle in Queensridge on the Badlands Golf Course in 1997. The ongoing saga/conflict between EHB Companies and the Queensridge Community has been, as you can imagine, extremely mentally and emotionally exhausting. I am very well aware of your opposition to the Open Space Ordinance that was passed by the Council last year. Still, I hope that you would listen to all parties involved and do you best to bring consensus among all parties to get us out of this stagnation and allow us to live peacefully and move forward. Here below are my concerns/suggestions:

1. I, as many others, am deeply concerned about the ongoing decimation of our property value [a minimum of 20-30% by real estate experts].

2. I am utterly frustrated and disgusted with the media portraying the conflict as an ongoing struggle between the powerful EHB and the very elite rich of Queensridge. I do not, as many others in this community, belong to either category. I come from a proud humble family. What I have made in my life financially is the result of hard work, sacrifice, and countless hours & sleepless nights.The community has been indeed good to me. I was honored by the National Kidney Foundation of as Medical Leader of the Year in 2002. Not a SINGLE penny is inherited. My parents gave me the most priceless gift "they educated me".

I do not think of myself as Elite or Privileged. I certainly appreciate if you would not paint us all with the same brush.

3. I am concerned about living in a construction zone with all the noise and dust & air pollution for 5-20 years as cited previously in the proposals of the developer.

4. I am concerned about the potential negative impact impact on traffic on Charleston/Rampart.

5. I am concerned about my quality and way of life. Instead of being on the serene golf course & facing the beautiful mountains, I could be soon facing while I am in my pool a street, traffic, or a high cement wall.

6. Change, as they say, is inevitable. I always hope and pray as a society that when we allow Change to take place, we exert our utmost efforts to ensure it is for the better. I pray for changes that will enhance the beauty of our neighborhood and preserve its serenity and uniqueness.

7. I realize that "LACK OF TRUST" has been a big hurdle in reaching a meaningful resolution to this saga. I personally do not trust EHB COMPANIES when I saw their representative express blatantly hostility toward council members in the past during televised meetings for raising questions and concerns. I do not trust them because while talking about beautifying the community by planting so many trees to surround the new developments to create "lush green" imagery the first thing they did in retaliation to ongoing discussions and ordinances to cut as many trees as they could. In addition, let us not overlook all the legal suits filed by all parties against each other.

Is this conducive to a peaceful and safe neighborhood in the Las Vegas Community? Is this the new norm of building trust among parties? I hope that none of you ever underestimate the volatility of this ongoing crisis. As a member of this community I need to have 100% confidence in all of our council members in their reasoning and impartiality.

I am struggling to have faith in the independence of our institutions. Something, such as the Open Space Ordinance, deemed once to be of benefit to various golf communities in the Las Vegas area, is now being entertained/considered as detrimental to the same communities it was designed to protect!

Do you think as a physician I would be considered competent if I changed my medical treatment for a patient 180 degrees? Not all, you would question my qualifications, my competence, and fire me and report me to the Medical Board for Medical Negligence.

How would I, a citizen and resident of this community, be able to trust any member of the Honorable Council of the City of Las Vegas if they just do the same? Or we are doomed to live from year to year wondering about what is good for us based on who is elected nex!

Why the rush to repeal an ordinance that once was considered of potential benefit to our communities? Why not thoroughly discuss and add amendments in order to take into account the interest of all parties involved, both EHB COMPANIES and Queensridge Residents.

The task before you is undoubtedly formidable. I urge you all especially the new members of the Council to come up with creative ideas and suggestions to allow us all to move forward and get out us of this stagnation. We badly need impartiality and fairness at this critical juncture. We certainly do not wish to see the interests of all our residents completely dismissed and trampled on. Again, I wish to remind you that we are not Elite, Privileged, or of unlimited resources.

I urge you to bring consensus and reason among all parties. Just rushing to repeal the Open Space Ordinance can not but only lead to the complete loss of faith in our institutions and fairness and independence of our processes.

I appreciate if this email is entered into the records of the Recommending Meeting on July 15 and City Council Meeting on July 17, 2019.

Thank you for your consideration.

Marwan A. Takieddine, M.D.
9332 Provence Garden Lane
Las Vegas, Nevada 89145

Stacey Campbell

From: Dave Alexander <dalexander@cmworks-us.com>
Sent: Sunday, July 7, 2019 2:21 PM
To: Olivia Diaz; Susan Finucan
Cc: LuAnn D. Holmes
Subject: BILL 2019-19 - REPEAL VOTE COMMENTS

EXTERNAL EMAIL

Hi Councilwoman Diaz, I noticed there is a vote for repeal of newly approved open space ordinance. I just became aware of it as I live near Badlands Golf Course. This has been a sensitive issue and maybe shouldn't be one of the first issues to come up with three new council people starting on the Council. Further, there was a lot of time and effort put into developing this ordinance and not sure why it is coming up so quick to repeal. Open space is a big issue and the City is becoming more and more congested and traffic is getting heavy in some areas. This appears to be something backed by a large out of state developer at the expense of local constituents. What is the rush to repeal this so quickly? Please consider maintaining and NOT repealing this ordinance or at the very least put off the vote until the ramifications can be understood. Thank you.

DAVID ALEXANDER
1000 Meadowleah Street
Las Vegas, NV 89145

Submitted after final agenda for the 7/15/19 Recommending meeting Item 3

Stacey Campbell

From: Esthefany Arochi
Sent: Tuesday, July 9, 2019 11:38 AM
To: Stacey Campbell
Subject: FW: BILL 2019-19 - REPEAL VOTE COMMENTS

From: Stephen Allott <stephen@allott.net>
Sent: Tuesday, July 9, 2019 10:55 AM
To: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>
Cc: Esthefany Arochi <earochi@LasVegasNevada.GOV>; LuAnn D. Holmes <ldholmes@LasVegasNevada.GOV>
Subject: BILL 2019-19 - REPEAL VOTE COMMENTS

EXTERNAL EMAIL

Dear Mayor Goodman,

I would like to voice my strong opposition to the proposed repealing of Bill 2019-19.

I hope the council will spend its valuable time discussing the many serious issues facing the city. Bill 2019-19 was already discussed and voted upon.
The council needs to move on to more pressing issues.

Sincerely,

Stephen Allott

STEPHEN ALLOTT
1004 Sir James Bridge Way,
Las Vegas, NV 89145

Trevor Atkin

RECEIVED
CITY CLERK
2019 JUL -9 A 9:19

To: mfiore@lasvegasnevada.gov
Cc: ldholmes@lasvegasnevada.gov
Subject: SUBJECT LINE: BILL 2019-19 - REPEAL VOTE COMMENTS

Councilwoman,

My wife and I reside within the city and very much oppose the repeal of the Open Space Ordinance. It ordinance does not inhibit growth and protects existing neighborhoods.

Respectfully,

ATKIN WINNER & SHERROD
A NEVADA LAW FIRM

Trevor L. Atkin
1117 South Rancho Drive
Las Vegas, NV 89102
PHONE (702) 243-7000 | FAX (702) 243-7059
tatkin@awslawyers.com
www.awslawyers.com

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Jason Awad

RECEIVED
CITY CLERK
2019 JUL -9 P 4:37

From: Jason Awad
Sent: Tuesday, July 09, 2019 4:16 PM
To: cgoodman@lasvegasnevada.gov; earochi@LasVegasNevada.GOV
Cc: ldholmes@lasvegasnevada.gov
Subject: BILL 2019-19 - REPEAL VOTE COMMENTS

Dear Mayor Goodman,

The Open Space Ordinance was passed with the best interests of community in mind. To repeal the ordinance would be a great disservice to the community and the future generations who will live here. I firmly oppose the proposed repeal of this ordinance and believe that its repeal would be detrimental to the best interest of the community.

I am requesting that my comments above be recorded for the Recommending Meeting on July 15, 2019 and the City Council Meeting on July 17, 2019.

Jason Awad
Queensridge Resident
(604 Queensridge Ct.)

Stephanie Bolton

To: vseaman@lasvegasnevada.gov; jsandecki@LasVegasNevada.GOV
Cc: ldholmes@lasvegasnevada.gov
Subject: BILL 2019-19 - REPEAL VOTE COMMENTS

RECEIVED
CITY CLERK
2019 JUL -9 A 10:41

July 9, 2019
Mr. and Mrs. Michael and Stephanie Bolton
9177 Tudor Park Place
Las Vegas, NV 89145

Dear Sir/Madame:

Thank you for the opportunity to be heard regarding the **Open Space Ordinance Matter 4:2.**

It is our concern that developers of the empty golf course lot at the rear of our home is in debate. While we understand the possible progress of the land development, our home purchase choice was largely influenced by the open space differential over other neighborhoods.

Even though the empty space may offer development options, the fact that our property value may suffer and thusly, our investment may, in turn suffer, as well. We do not object to the right of the developer to enhance the property and, thereby increase the beauty and enhance the lifestyle of our surroundings of a home we worked hard to afford.

We would hope that the decision to uphold the ordinance will prevail. Free reign to change the area immediately surrounding our home, as well as homeowners throughout the city, should not be a free-will action. The developers do not live within the areas they are developing, and, therefore may have no other vested interest, besides their profit. Affected homeowners should not only have a voice when it comes to their living standards and choice, but it should be a required check-balance opportunity.

Finally, without question or exception, the area should be managed well, maintained consistently, and respectfully manicured, regardless of the land usage. At this time our Badlands Golf Course area is without care and is becoming a neighborhood eye-sore. Hopefully, we will avoid steps backward in this progress. Uphold **Open Space Ordinance.**

Kindest regards,

The Bolton Family
mandsbolton@cox.net

LuAnn D. Holmes

From: Kevin Brehmer <kbrehmer2000@gmail.com>
Sent: Monday, July 8, 2019 8:30 PM
To: Victoria Seaman
Cc: Jordan Sandecki; LuAnn D. Holmes
Subject: Bill 2019-19 Repeal Vote Comments

EXTERNAL EMAIL

Dear Recommending Committee and City Council Members,

The Open Space Ordinance pertaining to the repurposing of certain golf courses and open space (that Councilman Steve Seroka championed and the Council approved 4:2). This ordinance had broad support from communities with open space/golf courses, the Southern Nevada Homebuilders, most of the Unions. Our Queensridge community has let their voices be heard for the Open Space Ordinance at various City Council meetings over the past year(s) and this is continuance of that voice for Open Space.

Please make my comments above be recorded for the Recommending Meeting on July 15, 2019 and City Council Meeting on July 17, 2019.

Sincerely,
Kevin Brehmer

Stacey Campbell

From: Esthefany Arochi
Sent: Tuesday, July 9, 2019 8:58 AM
To: City Clerk, Deputies
Subject: FW: 2019-19 Repeal of Open Space Ordinance

FYI

From: Rachel Burgess <rmburgess21@hotmail.com>
Sent: Monday, July 8, 2019 6:36 PM
To: Esthefany Arochi <earochi@LasVegasNevada.GOV>
Subject: 2019-19 Repeal of Open Space Ordinance

EXTERNAL EMAIL

I have been a Queensridge resident for 19 years. I oppose the repeal of the Open Space ordinance. I request my comment be recorded for recommending meeting on July 15 , and City Council meeting on July 17, is 2019.

Rachel and Arthur Burgess
301 Prince Charming Court
Las Vegas, NV 89145

Sent from my iPhone

LuAnn D. Holmes

From: Steve Caria <stevecaria@yahoo.com>
Sent: Monday, July 8, 2019 6:55 PM
To: Victoria Seaman
Cc: Jordan Sandecki; LuAnn D. Holmes
Subject: BILL 2019-19 - REPEAL VOTE COMMENTS

EXTERNAL EMAIL

Councilwoman Seaman,

As a concerned resident of Las Vegas, and negatively impacted by an egregious development (The Badland's) it seems incomprehensible that you would be asked to vote on this matter after only a few weeks in your newly elected position.

Would you please explain why this ordinance is being repealed before it has even been implemented?

Why are hard fought for protections for affected neighborhoods all over the City under attack?

What is the rush to repeal? Why are the 3 new Council members (Brian Knudsen, Olivia Diaz, and Victoria Seaman) being asked to take this vote after being in office only two weeks? Is it possible for new council members to get up to speed on such a contentious item that has been contested both in the City Council Chambers and the legal system for approximately four (4) years. I assume you realize that you could be jeopardizing the City's legal position by pushing this agenda item on the fast track?

Are there development applications for re-purposing open space just waiting in the wings for the ordinance to be repealed?

When the ordinance was adopted, Council members Seroka, Crear, Tarkanian and Coffin voted to pass the ordinance. Although all the legal rulings have been decided against this developer, is this yet another sign of bias?

I am looking forward to your "direct" responses to this email, as this matter is of great concern to me, my family, neighbors and our community.

Regards,

Steve Caria
9101 Alta Dr.
Las Vegas, NV 89145

July 9, 2019

Resident of Ward Two Opposition to Repeal of Open Space Ordinance

My wife and I are residents in Queenridge owning a single family residence at 9716 Foxtrap Avenue Las Vegas, Nevada, 89145. I have personally attended meetings at the Homeowners Association and City Counsel. I have heard principals of the EHB, including Yohar Lowie state that they can do whatever they wish with the property, Badlands, and are not bound by any proposals (evidenced by disclaimers on the plats). This was prior to the Open Space passage.

There was no mistaking the demeanor of the EHB principals and their advocates. It was threating, malicious and retaliatory. Lorie mentioned sitting in the office of and with Mayor Goodman believing they had a deal prior to the Ordinance. It is common knowledge that EHB took control of the recent Ward election process and "flooded the zone" with his supporters to enable the election results to support his financial goals. The vote to pass the Open Space Ordinance was four to two. The two voting in opposition are still on the council.

EHB-Lorie has undertaken a virtual pillage of the affected property. They have erected "No Trespassing no Dumping" signs turned off water to the course, cut down tress and piled the debris in violation of their own signage. The result is obvious, a newly contrived wasteland to support the repeal move.

The scope of the issues are large: why is the ordinance being repealed before it has been implemented; why are hard fought for protections for affected neighborhoods all over the city under attack; what is driving the rush to repeal; why are the 3 new council members (Knudsen, Diaz, Seaman) being asked to take this vote after being in office only two weeks; are there development applications for repurposing open space waiting in the wings for the ordinance t be repealed?

We urge the council to vote against repeal and be vetted for conflict of interests as a matters of ethics.

Richard A Cass, for himself and his wife Irene M Bourgault

9716 Foxtrap Avenue

Las Vegas, Nevada 89145

DARKTRACE EMAIL ACTIONED - This file has been converted from its original format for security purposes by Darktrace. Please call the Service Desk at X2479 if you believe this is a valid file. Please reference this code, B2CCAF4888D71.

Stacey Campbell

From: Lauren Chase <lkchase@me.com>
Sent: Tuesday, July 9, 2019 4:54 PM
To: Michele Fiore
Cc: LuAnn D. Holmes
Subject: Bill 2019-19

EXTERNAL EMAIL

Dear Councilwoman Fiore,

Please do not repeal the Open Space Building Ordinance which protects the homeowners throughout Las Vegas who Live close to Golf Courses and lakes.

The open space ordinance protects homeowners and other people in Las Vegas from the destruction of open space.

Without the ordinance in place, peoples lives can be turned upside down by powerful developers.

Please leave the open space building ordinance intact.

Yours truly,

Lauren Chase

9101 Alta Drive unit 1601,

Las Vegas, NV 89145

Sent from my iPad

Stacey Campbell

From: Terry Chase <tlchase@pacbell.net>
Sent: Tuesday, July 9, 2019 5:18 PM
To: Carolyn G. Goodman; Esthefany Arochi
Cc: LuAnn D. Holmes
Subject: Leave the Open Space Building Ordinance Intact - It's a good ordinance

EXTERNAL EMAIL

Dear Mayor,

The Open Space Building Ordinance protects homeowners throughout Las Vegas who live close to Golf Courses and Lakes.

Please leave the open space building ordinance intact.

The City Council should be proud that you passed it in the first place!

Thank you,

Terry Chase

9101 Alta Drive Unit 1601,

Las Vegas, NV 89145

Stacey Campbell

From: Esthefany Arochi
Sent: Wednesday, July 10, 2019 8:32 AM
To: Stacey Campbell
Subject: FW: BILL 2019-19 - REPEAL VOTE COMMENTS

-----Original Message-----
From: Peggy Cook <PEGGY@PEGGYCOOK.COM>
Sent: Monday, July 8, 2019 11:29 PM
To: Peggy Cook <PEGGY@PEGGYCOOK.COM>
Subject: BILL 2019-19 - REPEAL VOTE COMMENTS

EXTERNAL EMAIL

I strongly oppose the proposed repeal of Open Space Ordinance Bill 2019-19 pertaining to the repurposing of certain golf courses and open space. I live in the community of Queensridge and we desperately need an open space ordinance to deal with the many closed golf courses within our master planned communities throughout Las Vegas, Clark County and Henderson. This ordinance will help define what can and cannot be built within master planned communities with vacated golf courses and open space. This ordinance had broad support from communities with open space/golf courses, the Southern Nevada Homebuilders, and most of the Unions. We need to ensure the most responsible development, protect home values and the quality of life in all neighborhoods in the City we love!

Please record my comments for the Recommending Meeting on July 15 and the City Council Meeting on July 17, 2019. Thank you.

Peggy Cook, CRS, GRI, Green, SFR

License S.0026745

Berkshire Hathaway HomeServices Nevada Properties

7475 W. Sahara Ave. Ste. 100

Las Vegas, NV 89117

702-460-1947

Text Removed
<https://l.antigena.com/l/yE1ywe7k6dTOByy53Xt1EIXq4lMhyqqyL_JvQseVGCbWzclD1AlOqRfzW_fCspKh8yYkaUfSflGalTX_EK1-7p-0H9i3JaPv3Y08YN--JSjdj1Px-2K32FwVpB4SrBHKxzPAqx13oKao63B8rkRSJzoM3ysYSnhu6tMo6nO~rNmPs2OCHdST9OtYRceyy6ebDrbr8bmO4EbhoMbq4wQWDiAE5NQf8obCvjlgOLtYUFOxq0qQqsmGCOOCb46fCKMqTcNt~wob~0p2zGPld2R-

Stacey Campbell

From: Melody Cooper <bosslady1690@gmail.com>
Sent: Wednesday, July 10, 2019 12:53 PM
To: Stacey Campbell
Subject: Fwd:

EXTERNAL EMAIL

---------- Forwarded message ---------
From: Melody Cooper <bosslady1690@gmail.com <mailto:bosslady1690@gmail.com> >
Date: Wed, Jul 10, 2019 at 12:50 PM
Subject:
To: <vseaman@lasvegasnevada.gov <mailto:vseaman@lasvegasnevada.gov> >, <jsandecki@lasvegasnevada.gov <mailto:jsandecki@lasvegasnevada.gov> >
Cc: <ldholmes@lasvegasnevada.gov <mailto:ldholmes@lasvegasnevada.gov> >

Dear Councilwoman Seaman:

My husband and I are residents of Ward 2 in Las Vegas and offer the following comments in opposition to the potential repeal of the Open Space Ordinance ("OSO"). We respectfully requests that our comments be recorded for the July 15, 2019 Recommending Meeting as well as the July 17, 2019 City Council Meeting.

It is our view that any repeal of the OSO would be short sighted and not in the best interest of city residents and the community. By requiring land developers to implement impact studies, among other requirements, prior to development plan submissions, furthers "full transparency" in real estate development projects and promotes the health, safety and welfare of all within the community. The OSO also protects the property values of impacted homeowners. We understand that this is also the view taken by many home builders in Las Vegas as well as supported by most unions. In closing, we vehemently object to any repeal of the OSO.

Respectfully submitted,
Melody & Pierre Cooper
9333 Queen Charlotte
Las Vegas, NV 89145

Stacey Campbell

From: Gordon Culp <gordon@smithculp.com>
Sent: Saturday, July 6, 2019 1:18 PM
To: Carolyn G. Goodman; Esthefany Arochi
Cc: LuAnn D. Holmes
Subject: Bill 2019-19 repeal vote

EXTERNAL EMAIL

I am writing because of the pending vote to repeal the City's open space ordinance. You have always supported a comprehensive plan rather than a piecemeal plan for the Badlands golf course. We are all still waiting for that plan. The process in the open space ordinance could have provided the plan you desired. Help others in all parts of the City avoid these problems by voting "NO" on the repeal.

The open space ordinance protects the interests of thousands of residents throughout the City for years to come as future development issues arise. This attempt to repeal it is being jammed through for the short-term benefit of one developer.

Here are some facts to consider:

- The development of the open space ordinance was a multi-month, multi-party effort.
- Realizing Las Vegas is not the only city facing proposed development of open spaces, the City Council authorized staff to review open space ordinances successfully used by other jurisdictions.
- Staff prepared a draft ordinance taking using the best and most applicable parts of other successful ordinances.
- The draft underwent several revisions over a period of several weeks to incorporate comments from a range of stakeholders and from City Council members.
- The Public Engagement requirements of the ordinance were first adopted by the Council. They sent the Development Review and Approval Process portion of the ordinance back to staff for further changes. A final version incorporating further changes was prepared.
- There was extensive discussion of the final version at the decisive City Council meeting. Councilperson Fiore raised many objections at the City Council meeting. After hearing her objections and the responses to her objections by City staff including the City attorney, the Council voted 4-2 to adopt the ordinance in November, 2018.
- The new council members are being asked to vote on a previously adopted ordinance without the benefit of going through the many months of discussion about the ordinance or hearing first-hand the past comments of the public and City staff and Council discussions.
- The repeal of an 8-month old ordinance that resulted from a lengthy, thorough process with no evidence that there are issues in its application is a horrible precedent. If there is such a repeal, there is no stability and no rule of law that people can rely on. This leads to chaos and uncertainty for both developers and homeowners.
- Interestingly, the City of Henderson used a draft version of the City of Las Vegas ordinance as the basis for a Henderson open space ordinance that Henderson adopted in February, 2018.

Please vote against repeal of the open space ordinance.

Gordon Culp
653 Ravel CT
Las Vegas, NV 89145
702-219-4739

LuAnn D. Holmes

From:	rhd4lv@cox.net
Sent:	Tuesday, July 9, 2019 3:02 PM
To:	mfiore@lasvegasnevada.com; Felecia Dorchuck
Cc:	LuAnn D. Holmes
Subject:	Fwd: Bill 2019-19 Repeal Vote Comments
Attachments:	BILL 2019-19 REPEAL VOTE COMMENTS.pdf

EXTERNAL EMAIL Councilwoman Fiore. It is my understanding that you are proposing the repeal of The Open Space Ordinance. Although your basis for the repeal has not been revealed at this time, we respect the fact that you may believe that you have objective reasoning for repeal. Attached hereto is our comments in opposition to repeal of the ordinance. We have also submitted our comments in opposition to the remaining council members for their consideration. We trust you, as well as the other council members, will consider our objective comments. Ralph H. Dakdduk Betty J. Dakdduk 9617 Queen Charlotte Drive. Las Vegas, NV 89145-8674 email: rhd4lv@cox.net

==========> --------

-- Original Message ---------- > From: rhd4lv@cox.net > To: cgoodman@lasvegasnevada.gov, earochi@lasvegasnevada.gov, santhony@lasvegasnevada.gov, rskouson@lasvegasnevada.gov, ccrear@lasvegasnevada.gov, tjackson@lasvegasnevada.gov, odiaz@lasvegasnevada.gov, sfinucan@lasvegasnevada.gov, bknudsen@lasvegasnevada.gov, zgomes@lasvegasnevada.gov, vseaman@lasvegasnevada.gov, jsandecki@lasvegasnevada.gov > Cc: ldholmes@lasvegasnevada.gov > Date: July 9, 2019 at 2:35 PM > Subject: Bill 2019-19 Repeal Vote Comments > > > > Subject: Bill 2019-19 Repeal Vote Comments > > > > Attachment: Comment letter of opposition to the subject Bill 2019-19is made a part of this mail as if contained in the body herein. > > > > Ralph H. Dakdduk > > Betty J. Dakdduk > > 9617 Queen Charlotte Drive > > Las Vegas, NV 89145-8674 > > email: rhd4lv@cox.net

Pg 1 of 3

Dakdduk Family

9617 Queen Charlotte Drive Las Vegas, NV 89145-8674

Ralph H. Dakdduk
Betty J. Dakdduk Email: rhd4@cox.net

Jul 8, 2019

Las Vegas City Council Member
Re: Bill 2019-19 – Repeal Vote Comments Attachment to Email

We oppose the repeal of the subject Bill 2019-19. Issues that are brought for action before the Las Vegas City Council, for property development, have a common denominator in the interest of the City of Las Vegas – ensuring specific guidelines for standards that are consistent, organized, codified, incompliance with zoning and not in conflict with other governing documents. Repurposing of certain golf courses and open spaces are subject to the forgoing comments by their very unique nature of being "open" i.e. vacant areas where a precedent(s) has not been established.

If repurposing of certain golf courses and open space were void of standards, property owners could be tempted to proceed development on a property by property basis, only to be guided by their personal preference. It is beyond imaginable the chaos that would follow. It is incumbent upon governmental bodies to prevent such inconsistencies. Rules to abide by. And the "ordinance appears to be reasonable and applicable.

Further it is inconceivable that the previously approved "ordinance" would be unjustifiably challenged. Valid reasons for challenging may include being illegally approved, fraudulently approved, unconstitutional, or in conflict with existing ordinance, laws or other governing documents. None of these reasons appear to apply.

The council members, in their wisdom, overwhelming approved the Open Space Ordinance (4 to 2). We are of the opinion the "ordinance" serves the purpose for which intended and addresses guidelines and standards, accordingly. We are confident, those council members, and those who drafted its' content, considered the implications cited herein. We believe it is a sound and effective ordinance and should remain as is. We would not reasonably expect this, or any future, Las Vegas City Council, to consider repealing the previously approved actions unless the above, or similar, infractions existed.

We request that our comments be recorded for the Recommending Meeting on July 15, 2019 as well as the Las Vegas City Council Meeting on July 17, 2019.

This letter is a part of our email, as if contained within that email, to you as addressed.

DARKTRACE EMAIL ACTIONED - This file has been converted from its original format for security purposes by Darktrace. Please call the Service Desk at X2479 if you believe this is a valid file. Please reference this code, DB67E9F740349.

Owner:

Ralph H. Dakdduk
Betty J. Dakdduk
9617 Queen Charlotte Drive
Las Vegas, NV 89145-8674

DARKTRACE EMAIL ACTIONED - This file has been converted from its original format for security purposes by Darktrace. Please call the Service Desk at X2479 if you believe this is a valid file. Please reference this code, BB67E5140349.

Stacey Campbell

From: Esthefany Arochi
Sent: Tuesday, July 9, 2019 3:36 PM
To: Stacey Campbell
Subject: FW: Bill 2019-19-repeal vote comments

-----Original Message-----
From: krystal dicandilo <krystaldicandilo@hotmail.com>
Sent: Tuesday, July 9, 2019 3:35 PM
To: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>
Cc: Esthefany Arochi <earochi@LasVegasNevada.GOV>
Subject: Bill 2019-19-repeal vote comments

EXTERNAL EMAIL

Hello,
My husband Gino and I bought our home in March of 2015 in the Palms @ Silverstone Ranch golf course! We enjoy the ambiances of golf course living and to be frank the golf course scenery was exactly the "WOW" factor we desired! Only to find out a few months later that Silverstone Ranch golf course was purchased and closed. Needless to say we were mortified and we are both in favor of the open space ordinance!

Why and how is this ordinance being repealed before it has even had a chance to be implemented? What and who is driving the repeal rush when there are three brand new council members that have only been in office a few weeks.

Our votes stay the same and we are in favor of the open space land ordinance.

Thanks for your time,
Giovani & Krystal DiCandilo

LuAnn D. Holmes

From: Effie Eliades <agapi1993@icloud.com>
Sent: Tuesday, July 9, 2019 4:14 PM
To: Jordan Sandecki
Cc: LuAnn D. Holmes
Subject: Bill 2019-19-Repeal Vote Comments

EXTERNAL EMAIL

Please do not repeal the open space ordinance! This ordinance was enacted to protect communities and residents all over the Las Vegas valley. Please support this ordinance for the preservation of open space and residential communities that rely on your protection. Please record this for the meeting on 7/15/19 and 7/17/19.

Thank you,
Effie Eliades

Sent from my iPhone

Stacey Campbell

From: LuAnn D. Holmes
Sent: Thursday, July 11, 2019 2:04 PM
To: Stacey Campbell
Subject: FW: Bill 2019-19 Repeal Vote Comments

From: Michael Johnson <mlj858@gmail.com>
Sent: Tuesday, July 9, 2019 12:33 AM
To: Victoria Seaman <vseaman@lasvegasnevada.gov>; Jordan Sandecki <jsandecki@LasVegasNevada.GOV>
Cc: LuAnn D. Holmes <ldholmes@LasVegasNevada.GOV>
Subject: Bill 2019-19 Repeal Vote Comments

EXTERNAL EMAIL Dear Councilwoman Seaman My wife and I are residents of Ward 2 in Las Vegas and offer the following comments in opposition to the potential repeal of the Open Space Ordinance ("OSO"). We respectfully requests that our comments be recorded for the July 15, 2019 Recommending Meeting as well as the July 17, 2019 City Council Meeting. It is our view that any repeal of the OSO would be short sighted and not in the best interest of city residents and the community. By requiring land developers to implement impact studies, among other requirements, prior to development plan submissions, furthers "full transparency" in real estate development projects and promotes the health, safety and welfare of all within the community. The OSO also protects the property values of impacted homeowners. We understand that this is also the view taken by many home builders in Las Vegas as well as supported by most unions. In closing, we vehemently object to any repeal of the OSO. Respectfully submitted, Michael and Andrea Johnson 301 Kingsclear Ct. Las Vegas, NV 89145

LuAnn D. Holmes

From: eleni <elenieliades@hotmail.com>
Sent: Tuesday, July 9, 2019 10:56 AM
To: LuAnn D. Holmes
Subject: Fwd: Please don't repeal the open space ordinance
Attachments: image001.png; image002.png; image003.png; image004.png; image005.png

EXTERNAL EMAIL

To: City Clerk,

Please request to put on record and as meeting backup document.

Respectfully

Eleni Eliades

Get Outlook for iOS

From: eleni <elenieliades@hotmail.com>

Sent: Tuesday, July 9, 2019 9:14 AM

To: Jordan Sandecki

Cc: Ward 2 Staff

Subject: Re: Please don't repeal the open space ordinance

Thank you for going above and beyond to help our plight! Thank you for your kindness! All your help is much appreciated.

Respectfully

Eleni Eliades

Get Outlook for iOS

From: Jordan Sandecki <jsandecki@LasVegasNevada.GOV>

Sent: Tuesday, July 9, 2019 8:39:20 AM

To: eleni

Cc: Ward 2 Staff

Subject: RE: Please don't repeal the open space ordinance

Eleni, thank you for reaching out to the Ward 2 office to share your concerns about bill 2019-19. Councilwoman Seaman has recently taken office and is working to familiarize herself with all of the available information concerning this bill. I will share your comments with her. You've also copied the City Clerk, but I will forward your email to the appropriate members of her team to ensure your comments are entered for the record on this item. Please let me know how I can be of further assistance.

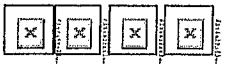
Respectfully,

Jordan Sandecki

Special Assistant to Councilwoman Victoria Seaman
Office of the City Council | Ward 2
702-229-2420|702-468-5451
495 S. Main St. | Las Vegas, NV 89101



lasvegasnevada.gov



From: eleni <elenieliades@hotmail.com>

Sent: Monday, July 8, 2019 6:16 PM

To: Jordan Sandecki <jsandecki@LasVegasNevada.GOV>

Cc: LuAnn D. Holmes <ldholmes@LasVegasNevada.GOV>

Subject: Please don't repeal the open space ordinance

EXTERNAL EMAIL

Please do not repeal the open space ordinance! This ordinance was enacted to protect communities and residents all over the Las Vegas valley. Please support this ordinance for the preservation of open space and residential communities that rely on your protection. Please record this for the meeting on 7/15/19 and 7/17/19.

Thank you

PG 2 of 2

LuAnn D. Holmes

From: Donna Lefever <donnasellsvegashomes@gmail.com>
Sent: Tuesday, July 9, 2019 4:40 PM
To: Victoria Seaman
Cc: jsandecki@lasvegasnevada.gom; LuAnn D. Holmes
Subject: Bill 2019-19 Repeal Vote Comments

EXTERNAL EMAIL

As an owner of a home in Queensridge located on the former Badlands golf course, I would like to voice my opposition to the repeal that Councilwoman Fiore is purposing. Please let this email serve as documentation that I STRONGLY oppose this repeal.

Respectfully,
Donna Lefever
9433 Queen Charlotte Dr.

Donna Lefever
Broker/Salesperson
Realty One Group
10750 W. Charleston Blvd Suite 180
Las Vegas, NV 89135

Direct 702-279-7663
Fax 866-373-6008

DonnaSellsVegasHomes@gmail.com <mailto:DonnaSellsVegasHomes@gmail.com>
Text Removed <https://l.antigena.com/l/Kd4BqemkbHkqjTag9-uFVIzu5MNuByNPzdECOVY67JLIyf3ASfldPsUkm6sd60TEWPDhTXhUflr70sG5IfSSmgsYsOuxuWnDRQ5q-zC~2SkDRuuEHyWJ3h7HY42AutQSCpF30O2CZJfq9rNFV0hXsikoy8KjUpL~sPlVLf73ylYNjl3q2i7gaqRkrJjB4LGSGX1FlUiX76n8gV7xbGqSK39eddp7eYS37NDUqgvZRbBrwM3-lpTL2OtyvrSbVi18VCaxkNhf72rtqlwQzEcRYH9Fo2hxW2KtlxO~X~EK0OALkGSc1tNCXnfg0nlVRtSvBs6R0N0wVuwnLiNbmUpJNUrbRmUgQGZ38Jmg33qxzvpsIE461k8385UNJzOyCrBcJC3mShELV~US>

Stacey Campbell

From: Carolyn G. Goodman
Sent: Wednesday, July 10, 2019 3:10 PM
To: LuAnn D. Holmes; Stacey Campbell
Subject: FW: Open space Ordinance

CAROLYN G. GOODMAN, MAYOR
Las Vegas City Hall
495 S. Main Street
Las Vegas, NV 89101

(702) 229-6241

City Hall is closed on Fridays

From: Catherine Green <hawk1000s@icloud.com>
Sent: Tuesday, July 9, 2019 9:26 AM
To: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>; Esthefany Arochi <earochi@LasVegasNevada.GOV>
Cc: LuAnn D. Holmes <ldholmes@LasVegasNevada.GOV>
Subject: Open space Ordinance

EXTERNAL EMAIL

I would like to be record and include this document action when Repeal Motion is heard at the Recommendation Meeting on July 15 and the City Council Meeting On July 17, 2019.
I am a resident of Ward 4 and am urging you to vote against the repeal of the open space ordinance. There is a lot of open space in Ward 4, including the Desert Shores Lakes and we need protection against irresponsible development should the Lakes or other open space be targeted for development.
I urge the Council to vote to NOT repeal the Ordinance.

Catherine Green
8245 Dolphin Bay Court
Las Vegas, NV 89128

Sent from my iPhone 7 plus

Stacey Campbell

From: Esthefany Arochi
Sent: Tuesday, July 9, 2019 9:00 AM
To: City Clerk, Deputies
Subject: FW: BILL 2019-19 - REPEAL VOTE COMMENTS

Follow Up Flag: Follow up
Flag Status: Flagged

FYI

-----Original Message-----
From: rick greenspan <rmglaw@verizon.net>
Sent: Tuesday, July 9, 2019 7:40 AM
To: Esthefany Arochi <earochi@LasVegasNevada.GOV>
Subject: BILL 2019-19 - REPEAL VOTE COMMENTS

EXTERNAL EMAIL

Ladies and Gentlemen:

My wife and I reside at the address noted below.

We Request that this comment be recorded for the Recommending Meeting on July 15 and City Council Meeting on July 17, 2019.

We oppose action that would rescind the Open Space Ordinance which is now in effect as we understand has been proposed by Councilwoman Fiore.

The Ordinance in effect has worked to the benefit of citizens in Las Vegas. It realistically limits vehicle traffic which would substantially change should multi housing be developed, it provides retention of needed open space in the City and community, helps protect the existing and future value of my home in an affected area (former Badlands golf course) and provides a framework that would consider the interests of the community involved.

A recommendation and vote against rescission of the Ordinance is necessary.

Thank you.

--
Richard M. Greenspan
Donna Bensik

cell: 914 329 4956
tel: 914 407 2040
email: rmglaw@verizon.net

912 Granger Farm Way

Stacey Campbell

From: Esthefany Arochi
Sent: Tuesday, July 9, 2019 8:59 AM
To: City Clerk, Deputies
Subject: FW: Open space ordinance

-----Original Message-----
From: Elizabeth Higgins <eghiggins@aol.com>
Sent: Monday, July 8, 2019 11:37 PM
To: Esthefany Arochi <earochi@LasVegasNevada.GOV>
Subject: Open space ordinance

EXTERNAL EMAIL

Council and to whom it may concern

We strongly disagree with any repeal on the open space ordinance and urge you to stand by your decision on open space/golf course use in existing neighborhood in Las Vegas...specifically Queensridge.
As a homeowner in this neighborhood, we are directly impacted by your decision.
We plead with you NOT to allow housing or commercial development on golf courses where homes have been built to exist on those open spaces.

Sincerely
Elizabeth and Terrence Higgins

9712 Foxtrap Ave
Las Vegas, NV
89145

Stacey Campbell

From: Esthefany Arochi
Sent: Tuesday, July 9, 2019 1:51 PM
To: Stacey Campbell
Subject: FW: Holden - Open Space Building Ordinance Bill

From: Terry Holden <terry@tlh-365.com>
Sent: Tuesday, July 9, 2019 12:25 PM
To: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>
Cc: Esthefany Arochi <earochi@LasVegasNevada.GOV>
Subject: Holden - Open Space Building Ordinance Bill

EXTERNAL EMAIL

Mayor Goodman

My wife and I live in Ward 2 and we are strongly in favor the Open Space Building Ordinance Bill which passed last year by a vote of 4 to 2. We are opposed to any attempt to repeal the Open Space Bill.

The Open Space Building Ordinance Bill was logical and protected the rights of existing homeowners' in neighborhoods adjacent to designated open space. It also allowed a pathway for developers to work with neighborhood associations, but it required developers to do their homework.

In the case of Badlands, the developer requested approval for density well above the existing zoning. Taking open space, and proposing a development with density at the highest levels in Las Vegas makes absolutely no sense. The Open Space Building Ordinance Bill reigned in developers and forces them to act responsibly and work with the local neighborhoods.

For the long-term success of Las Vegas, we need responsible and controlled development. Developers should not be allowed to run wild at the expense of established neighborhood. We certainly have more available land than we have water to support uncontrolled development. With our limited supply of water, we need to develop in a very responsible manner.

As a bit of a side note, at several recent meetings the Union Representatives have tried to support developers by saying they need jobs, and the Open Space Ordinance Bill hurts jobs. That is simply a joke. Las Vegas unemployment is 4.2% and the construction trades are starving for trained and skilled labor. If anything, we need more trained and skilled workers in the construction trades. And, strong building codes and restrictions make for a strong construction industry. It is a time to build quality and not quantity.

Thank you for your consideration and time.

Terry and Cheryl Holden

Terry Holden

Pg 1 of 2

9101 Alta Drive, Suite 1602
Las Vegas, NV 89145
Cell: 702-610-4545
terry@tlh-365.com

Pg 2 of 2

LuAnn D. Holmes

From: James Holt <jholt464@gmail.com>
Sent: Sunday, July 7, 2019 5:46 PM
To: Brian Knudsen
Cc: LuAnn D. Holmes; Holt James
Subject: BILL 2019-19 - Repel Vote Comments

EXTERNAL EMAIL

Councilman Knudsen,

I very much support the Open Space Ordinance pertaining to the repurposing of certain golf courses and open spaces championed by Council member Seroka and supported by others and approved by the Council in a 4:2 vote. I **very much oppose** repealing the Open Space Ordinance being considered by the Recommending Committee on July 15, 2019, and the City Council Meeting on July 17, 2019. This attempt to repeal the ordinance is an attack on the hard fought protections for affected neighborhoods all over Las Vegas. I **strongly urge** the Council to vote to keep the Open Space Ordinance as previously approved!

I request my comments be recorded for the Recommending Committee on July 15, 2019 and the City Council Meeting on July 17, 2019.

This email sent to Sally Christensen at the request of Becky Skouson during her absence.

James L. Holt
9604 Camden Hills Ave
Las Vegas, NV 89145
702-677-9754

Stacey Campbell

From: LuAnn D. Holmes
Sent: Thursday, July 11, 2019 2:06 PM
To: Stacey Campbell
Subject: FW: BILL 2019-19 - Repel Vote Comments

-----Original Message-----
From: NANCY HOLT <nls481@msn.com>
Sent: Sunday, July 7, 2019 5:42 PM
To: Brian Knudsen <bknudsen@lasvegasnevada.gov>
Cc: LuAnn D. Holmes <ldholmes@LasVegasNevada.GOV>; NANCY HOLT <nls481@msn.com>
Subject: BILL 2019-19 - Repel Vote Comments

EXTERNAL EMAIL

Councilman Knudsen,

I very much support the Open Space Ordinance pertaining to the repurposing of certain golf courses and open spaces championed by Council member Seroka and supported by others and approved by the Council in a 4:2 vote. I very much oppose repealing the Open Space Ordinance being considered by the Recommending Committee on July 15, 2019, and the City Council Meeting on July 17, 2019. This attempt to repeal the ordinance is an attack on the hard fought protections for affected neighborhoods all over Las Vegas. I strongly urge the Council to vote to keep the Open Space Ordinance as previously approved!

I request my comments be recorded for the Recommending Committee on July 15, 2019 and the City Council Meeting on July 17, 2019.

Ms. Nancy Holt
9604 Camden Hills Ave
Las Vegas, NV 89145
702-630-6943

P. 002

Maynard Howe

From:	Maynard Howe
Sent:	Tuesday, July 9, 2019 10:16 AM
To:	rskouson@LasVegasNevada.GOV
Subject:	Subject: Bill 2019-19 Repeal Vote Comments

RECEIVED
CITY CLERK

2019 JUL -9 A 10:44

Subject: Bill 2019-19 Repeal Vote Comments

I request that my comments be recorded for the Recommending Meeting on July 15 and City Council Meeting on July 17th, 2019. The repeal of this vote championed by a council member who received support from the builder questions the integrity of the process and if the repeal is passed it would cause significant loss of property values of all homeowners. How can a builder build multimillion homes and condos with open space views approved in the original master plan and that same builder destroying the open space commitment with more houses that contradict the very intention of which the space was approved? The greed of one appears to have influenced those that are supposed to serve and protect the citizens that elected them to office.

Dr Maynard A. Howe

FAX No.

JUL/09/2019/TUE 09:33 AM

LuAnn D. Holmes

From: Ronald J Iversen <rjiversen51@gmail.com>
Sent: Tuesday, July 9, 2019 3:46 PM
To: Victoria Seaman
Cc: Jordan Sandecki; LuAnn D. Holmes
Subject: BILL 2019-19: REPEAL VOTE COMMENTS

EXTERNAL EMAIL

Dear Councilwoman Seaman,
Request these comments be recorded for the Recommending Committee on July 15, 2019 and for the City Council Meeting on July 17, 2019.

Congratulations on your recent election to the Las Vegas City Council. As you know, the Open Space Ordinance pertaining to the repurposing of certain golf courses and open spaces passed by the City Council in April 2018 is being challenged. I am firmly AGAINST THE REPEAL (FOR THE RETENTION) of the passed ordinance. Repeal of the ordinance is both bad policy and illogical for the following reasons:

1. The ordinance was enacted by the Las Vegas City Council after more than a year of nationwide research of best practices on this issue. Pros and cons were vetted and the clarity of benefit of enacting the Open Space Ordinance became evident. After receiving a majority vote of the Council, why would the Council act illogically and repeal an ordinance that has not yet been implemented and the impact fully appreciated.
2. Why are new City Council members (Mr. Brian Knutsen, Ms. Olivia Diaz and Ms. Victoria Seaman) being asked to repeal an existing ordinance after being in office for only two weeks. It is not evident why there is a rush to repeal this ordinance. Would it not be better policy and management prudence to allow the ordinance to be fully implemented and for new Council members to settle into their positions and understand the ordinance impact before requiring such a vote?
3. Responsible development is a hallmark of any great city including Las Vegas. Responsible development means allowing development to proceed while equally protecting the rights and home values of existing Las Vegas residents. The Open Space Ordinance does just that by ensuring sensible responsible development requirements are fulfilled and development is not allowed to proceed untamed. Responsible development can and should take place but not at the expense of residents who placed their trust in master planned communities and City government officials to protect them and their life investments.

The enacted Open Space Ordinance truly protects existing communities in the Las Vegas jurisdiction. I expect you as our Ward 2 representative and the remaining Las Vegas City Council members to fulfill their elected and civic obligation to the homeowners of Las Vegas and RETAIN THE OPEN SPACE ORDINANCE.

Respectfully Submitted,

Ronald J. Iversen
9324 Verlaine Court
Las Vegas, NV 89145

215-962-0363

Stacey Campbell

From: Esthefany Arochi
Sent: Tuesday, July 9, 2019 11:38 AM
To: Stacey Campbell
Subject: FW: open space ordinance

FYI

From: parrtk@aol.com <parrtk@aol.com>
Sent: Tuesday, July 9, 2019 11:09 AM
To: Esthefany Arochi <earochi@LasVegasNevada.GOV>
Subject: open space ordinance

EXTERNAL EMAIL

I find it strange that we are thinking of repeal this. It insures both sides developer/residence are covered. Their is no cost increase just moved things to the front. This sorts out those who can not afford to due the job right. As to maintaining a property in play we now can what EHB has done.; better yet not done. Tore a fence down and did not replace , cut tree's and did not remove logs, materials. Drained ponds, put offensive signs up. This is not done by someone who wants to work with the residents. This ordinance protects all from this happening again. Makes the city job easier. Removes the antagonism that comes from those actions.

Mayor, the biggest problem in development today is labor; not enough qualified works to do the projects. They are paying bounties to steal people away from other projects. The builders can not find enough people to do the job's. If you doubt ask around,. Is is not the ordinance.

Please this protects those already living in a specific area being in play.

Need your help to keep this.

Rick Kost
9813 Queen Charlotte Drive
702-228-9813

LuAnn D. Holmes

From: Duncan R. Lee <duncanrlee8@me.com>
Sent: Monday, July 8, 2019 8:53 PM
To: LuAnn D. Holmes
Subject: FW: - SUBJECT LINE: BILL 2019-19 - REPEAL VOTE COMMENTS

EXTERNAL EMAIL

This is a copy of an email submitted to Councilman Knudsen.

Duncan Lee

From: Duncan R. Lee <duncanrlee8@me.com>
Sent: Monday, July 8, 2019 8:45 PM
To: 'bknudsen@lasvegasnevada.gov' <bknudsen@lasvegasnevada.gov>
Cc: 'zgomes@lasvegasnevada.gov' <zgomes@lasvegasnevada.gov>
Subject: FW: - SUBJECT LINE: BILL 2019-19 - REPEAL VOTE COMMENTS

Dear Councilman Knudsen,

Congratulations on your election and your representation on the City Council. I am against the repeal of the open space ordinance. It is important that we retain this ordinance to provide input by affected homeowners. This will allow homeowners to enjoy an integrated "masterplan" open space community . Please vote against the repeal at the full council meeting.

Thank You

Duncan Lee

LuAnn D. Holmes

From: Irene Lee <ivlee10@me.com>
Sent: Tuesday, July 9, 2019 10:54 AM
To: Brian Knudsen
Cc: zgomes@lasvegasnevada.gov; LuAnn D. Holmes
Subject: Bill 2019-19 Repeal vote comments

EXTERNAL EMAIL

Dear Councilman Knudsen,

I am writing to you in hope that you will **vote against the repeal of** the Open Space Ordinance. This bill was written to protect all communities from developers who blindly, knowingly and forcefully develop open space that are annexed to neighborhoods like Queensridge. The Open space are what we homeowners counted on when we purchased our lot and build our homes. Your constituents rely on the Council to be truthful, fair and act with highest honesty and integrity.

The Open Ordinance was approved with 4-2 votes. It was passed by a majority favorable votes! I hope you will be consistent with your decision and vote against the repeal.

Thank you for your kind consideration. I hope you will do the "right" thing!

Thank you,

Irene Lee

9631 Orient Express Court

LuAnn D. Holmes

From: Matt's Gmail Account <suemattlv@gmail.com>
Sent: Monday, July 8, 2019 6:16 PM
To: Carolyn G. Goodman; Esthefany Arochi; Michele Fiore; Felecia Dorchuck; Stavros Anthony; Becky Skouson; Cedric Crear; Tanya Jackson-Renter; Olivia Diaz; Susan Finucan; Brian Knudsen; zgomes@lasvegasnevada.gov; Victoria Seaman; Jordan Sandecki; LuAnn D. Holmes
Subject: BILL 2019-19 - REPEAL VOTE COMMENTS

EXTERNAL EMAIL

We are Queensridge residents and we are writing you to assert that we continue to support the initiative that former Councilman Steve Seroka championed and the council approved 4:2. We oppose councilwoman Fiore's proposal to repeal the Ordinance.

Thank you for your consideration.
Matthew & Susan Mauceri

Stacey Campbell

From: Esthefany Arochi
Sent: Wednesday, July 10, 2019 8:32 AM
To: Stacey Campbell
Subject: FW: SUBJECT LINE: BILL 2019-19 - REPEAL VOTE COMMENTS

-----Original Message-----
From: Timothy Morse <tmorse@morseandassociates.com>
Sent: Tuesday, July 9, 2019 4:05 PM
To: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>
Cc: tmsteffora <tmsteffora@cox.net>; Esthefany Arochi <earochi@LasVegasNevada.GOV>
Subject: SUBJECT LINE: BILL 2019-19 - REPEAL VOTE COMMENTS

EXTERNAL EMAIL

Dear Mayor:

I am opposed to the repealing of the ordinance pertaining to the repurposing of golf courses and open space.

Timothy R. Morse, MAI

Certified General Appraiser

State of Nevada License No. A.0000005-CG

Morse-Krueger and Assoc. LLC

3140 S. Rainbow Blvd., Suite 402

Las Vegas, NV 89146

702-386-0068 Ext. 21

tmorse@morseandassociates.com

Stacey Campbell

From: Esthefany Arochi
Sent: Tuesday, July 9, 2019 11:37 AM
To: Stacey Campbell
Subject: FW: Comments BILL 2019-19

FYI

-----Original Message-----
From: Kim Neukam <kimneukam@aol.com>
Sent: Tuesday, July 9, 2019 11:25 AM
To: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>
Cc: Esthefany Arochi <earochi@LasVegasNevada.GOV>
Subject: Comments BILL 2019-19

EXTERNAL EMAIL

Mayor Goodman,

I oppose the repeal of Bill 2019-19.
I believe the open space ordinance is imperative as we move forward, as a city, in a progressive and environmentally aware manner. Las Vegas needs guidelines in place to preserve open spaces and allow for proper infrastructure prior to development.
As citizens of this great city, we are all responsible for the careful, planned, and best growth possible.
Please record my comments for the recommending meeting on July 15th and the City Council Meeting on July 17, 2019.

Sincerely,
Kim Neukam
Sent from my iPad

LuAnn D. Holmes

From: Becky Skouson
Sent: Tuesday, July 9, 2019 9:24 AM
To: LuAnn D. Holmes; Sally Christensen
Subject: FW: Bill 2019-19 Do Not Repeal

Importance: High

FYI

Becky Skouson
Special Assistant to Councilman Stavros Anthony
Office of the Mayor and City Council
702-229-2524
495 S. Main St. | 7th Floor | Las Vegas, NV 89101

lasvegasnevada.gov

From: Linda Painter <lvlindap@cox.net>
Sent: Tuesday, July 9, 2019 1:17 AM
To: Stavros Anthony <santhony@LasVegasNevada.GOV>
Cc: Becky Skouson <rskouson@LasVegasNevada.GOV>
Subject: Bill 2019-19 Do Not Repeal
Importance: High

EXTERNAL EMAIL

I am requesting that my comments regarding Bill 2019-19 be recorded for the Recommending Meeting on July 15 and City Council Meeting on July 17, 2019. Please do not repeal this bill and please forward this email to the city clerk for confirmation purposes. This bill should never be repealed as it is meant to keep the community left with some open space, the former Badlands Golf Course should not be developed.
Regards,
Linda & Neal Painter
301 Selfridge St.
Las Vegas, NV. 89145

Bob Peccole

RECEIVED
CITY CLERK
2019 JUL -9 A 11:58

From: Bob Peccole <bob@peccole.lvcoxmail.com>
Sent: Tuesday, July 09, 2019 11:03 AM
To: 'cgoodman@lasvegasnevada.gov'
Cc: 'mfiore@lasvegasnevada.gov'; 'ccrear@lasvegasnevada.gov'; 'santhony@lasvegasnevada.gov'; 'odiaz@lasvegasnevada.gov'; 'bknudsen@lasvegasnevada.gov'; 'vseaman@lasvegasnevada.gov'
Subject: Open Space Ordinance

To Mayor Goodman and Councilmen:

I am writing this email to you so I may voice my concerns regarding Councilman Fiore's attempt to repeal the Open Space Ordinance recently passed by the City Council.

Councilman Fiore has made it clear that she believes the Open Space Ordinance only affects her mentor Yohan Lowie and his entities. She is obviously attempting to repeal the Ordinance to benefit Mr. Lowie in spite of the fact that the Ordinance was passed to give some protection to all citizens of Las Vegas that find themselves as residents of open space land that is part of their communities. Councilman Fiore, in an open Council meeting claimed that only the Badlands Golf Course fell within the requirements of the Ordinance. This was not a true statement. Golf Course communities exist throughout the City including Canyon Gate, Painted Desert, Los Prados and Silverstone. All of these golf courses, including other types of open space within a developed community, are subject to greedy developer take over with the intent to develop high density residential. This is what has occurred with the Badlands Golf Course and the Silverstone Golf Course.

The problem created by these types of take overs is not only occurring in the City of Las Vegas, but also in other parts of Clark County and the country. Other Cities and States have addressed the concerns created by these take overs with Ordinances and Statutes similar to the Open Space Ordinance adopted by the City of Las Vegas. These laws are intended to give protection to homeowners affected by greedy take overs and to make the takeover developers meet proper standards imposed by the laws.

Councilman Fiore's attempt to repeal the City Ordinance is misguided. She is asking the Council to disregard common sense legislation that has been adopted throughout the Country including the City of Henderson. Councilman Fiore does a great disservice to all of the people of Las Vegas including the residents that live in her ward on the Silverstone Golf Course. Councilman Fiore has always taken the position that because the Silverstone residents have a restrictive covenant against development of the golf course, they are not the same as the Badlands. However, she forgets to inform her constituents that a bankruptcy proceeding can eliminate the restrictive covenant. The only protection that her constituents have is the City Open Space Ordinance. Why would she turn her back on her constituents in favor of one developer?

As Mayor and Councilmen it is incumbent upon you to read the Ordinance and to understand why passing of these types of laws is so important to other cities and states throughout the country. The Open Space Ordinance that has been adopted by the City is a combination of thorough research by the City Attorney's Office into the different ordinances and statutes adopted by other cities and states, including Henderson. The Ordinance is not a one shot attempt to stop Yohan Lowie and his entities, but instead is a well-reasoned method of addressing the Open Space issue within the City of Las Vegas. To repeal the existing ordinance is not the function of those on the Council that are representing the people.

Bob Peccole

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To vsearman@lasvegasnevada.gov

CC jsandecki@LasVegasNevada.GOV

BCC

Bill 2019-19 Repeal Vote

I adamantly oppose Councilwoman Flore's proposal to repeal the open space ordinance that applies to golf courses and open space within the City of Las Vegas,

LoisAnn M Prock

RECEIVED
CITY CLERK
2019 JUL -9 P 3:10

Send

LuAnn D. Holmes

From: Larry Sadoff <larrysadoff@cox.net>
Sent: Monday, July 8, 2019 8:49 AM
To: Cedric Crear
Cc: LuAnn D. Holmes; Tanya Jackson-Renter
Subject: Fwd: Bill 2019-19- Repeal Vote Comments

EXTERNAL EMAIL

I am writing to urge you to continue to support the referenced ordnance as it now written and to vote against the upcoming motion to repeal it. As you know because you voted for its passage, this comprehensive ordnance is well researched and well thought out; and most importantly, it is equally fair to all who are directly or indirectly impacted by new development in our community. This ordnance provides a framework to consider the rights of homeowners impacted while allowing for planned use of undeveloped properties throughout Las Vegas and in particular in open spaces. Development and growth is a good thing for all of Las Vegas- but it must be managed properly, taking into account the interests of all impacted. This can be accomplished with the process recently passed by the City Council but is now under attack to be repealed.

>

> You will hear many arguments for repeal. The real underlying reason to push for repeal is to allow special interest groups to circumvent and short-cut an equitable and well thought out process that is fair and does not favor one group at the expense of another. This is wrong.

>

> We finally have an excellent process in place- do not repeal it.

>

> Please record these comments and include them in the official record of the upcoming 15 July Recommending Committee Meeting an the 17 July City Council Meeting.

>

> Sincerely,

>

> Larry Sadoff

>

> Sent from my iPad

LuAnn D. Holmes

From: Scherer, David <dscherer@ngkf.com>
Sent: Tuesday, July 9, 2019 12:16 PM
To: Stavros Anthony
Cc: Becky Skouson; LuAnn D. Holmes
Subject: BILL 2019-19 - Repeal Vote Comments
Attachments: David Scherer.vcf

EXTERNAL EMAIL

Dear Council Member Anthony,

I strongly oppose the repeal of the Open Space Ordinance proposed by Council Member Fiore. The repeal could potentially damage hundreds of home owners across Southern Nevada, who are part of communities with golf courses and open spaces. Home owners buy homes with the expectation of these open areas remaining consistent with their current or similar use.

Please record my comments for the Recommended Meeting on July 15, 2019 and City Council Meeting on July 17, 2019

David R. Scherer
Executive Managing Director
Newmark Knight Frank
3930 Howard Hughes Parkway, Suite 180
Las Vegas, NV 89169
T 702.405.1700
dscherer@ngkf.com
Save a Tree - Think Before You Print. Sustainably Newmark Knight Frank.

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Stacey Campbell

From: Esthefany Arochi
Sent: Tuesday, July 9, 2019 4:09 PM
To: Stacey Campbell
Subject: FW: open space ordinance

From: maureen dobler schuette <maureendoblerschuette@gmail.com>
Sent: Tuesday, July 9, 2019 4:07 PM
To: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>; Esthefany Arochi <earochi@LasVegasNevada.GOV>
Subject: open space ordinance

EXTERNAL EMAIL

Hello!

Please DO NOT support the repeal of the open space ordinance....

Green and raw desert space within the city is of great value for people and creatures that live among us....Not all area have to be full of concrete and density..

Just like there is not new beach front, river front or mountain view property being made, open space is a rarity today in our developed world...

Do not support this disgusting move by MS. Fiore (who is not the representative in this area) to placate those who would gain from this desecration of land...and then those greedy people would just further and further out to destroy more virgin lands...

Also, This would decimate the property values of the citizens who purchased the surrounding property IN GOOD FAITH..

Thank you for your consideration.

Maureen Dobler Schuette
308 Bays Water Court
Las Vegas, Nevada 89145
503.422.8809

Stacey Campbell

From: Esthefany Arochi
Sent: Tuesday, July 9, 2019 9:54 AM
To: City Clerk, Deputies
Subject: FW: Bill 2019-19- REPEAL VOTE COMMENTS

FYI

From: Joan Silverstein <midnightarnold@gmail.com>
Sent: Tuesday, July 9, 2019 9:32 AM
To: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>
Cc: Esthefany Arochi <earochi@LasVegasNevada.GOV>; idholmes@lasvegasnevada.gov
Subject: Bill 2019-19- REPEAL VOTE COMMENTS

EXTERNAL EMAIL

Please record our comments for the Reecommending Meeting on July 15 and City Council Meeting on July 17

For most of the first 18 years that we lived in Queensridge, we had a wonderful green space in the Badlands Golf Course. When we drove in the gate to Queensridge, we saw an expanse of green lawns and lush trees. We saw ponds filled with ducks and geese who used the ponds for themselves and their babies as a refuge until they flew each winter to a warmer climate, returning in the Spring. Although the golf course was always busy with golfers, we could stroll along the course's roads at any time. We live several blocks from the golf course, but it was always a source of enjoyment and restoration for us and was a symbol of the heart of Queensridge.

Since the development of Badlands began, the area has changed dramatically. The ponds have been drained and the birds have left. The grass has not been watered and has dried to brown, and the remaining dirt has converted to dust, desert shrubs, and hard dried ground. Many of the trees have been cut down to stumps. Now, when we enter the gate or walk on the road outside the golf course, we are confronted with huge signs warning in large red letters about no trespassing and no dumping with threats of prosecution..

Even if the developer was allowed to build, we have been told that he could build on the golf course land for at least 20 years, so that the disruption in the community from the construction could continue for decades. At the end of the process we would have lost our open green space, to be replaced by houses and apartments.

The only hope we have to restore any kind of normalcy is that the Open Space Ordinance remain in place. Now we are told that the City Council is considering repealing the ordinance. This will affect not just us in

Pg 1 of 2

Queensridge, but other communities as well.

When the City Council is considering whether or not to repeal the Open Space Ordinance, please do not allow this disruption and ugliness to continue here or be inflicted on other areas of the Las Vegas community. If you are trying to improve the quality of life in Las Vegas to maintain a world class community, your planning must consider the restorative open green spaces and the emotional, cognitive, and physical health that nature provides to all of us. These green spaces should not just be limited to parks we can visit, but should be included within each development where ever possible.

Thank you for your consideration of this very serious matter.

Joan Silverstein and George Foldesi
916 Granger Farm Way
Las Vegas, NV 89145

pg. 2 of 2

Stacey Campbell

From: Anne Smith <anne@smithculp.com>
Sent: Sunday, July 7, 2019 5:13 PM
To: Carolyn G. Goodman; Esthefany Arochi
Cc: LuAnn D. Holmes
Subject: ORDINANCE BILL 2019-19 REPEAL COMMENTS

EXTERNAL EMAIL

Dear Mayor Goodman (copy to City Clerk):
I am writing to you regarding the Items on Bill 2019-19 on the Recommending Committee 7/15/19 meeting agenda and the City Council 7/17/19 meeting agenda which affect all City Wards, especially Ward 2 and specifically the San Michelle South area of Queensridge, which would be disproportionately affected if the developer ever got approval to build high-density condos on the Badlands open space behind Ravel Court single family homes.

1. Having followed the development of this Ordinance since the beginning, I was shocked to see this proposal to REPEAL the Ordinance governing the repurposing of certain golf courses and open space after all the months of work in 2018 to develop a version that garnered broad support from key stakeholders (including residents city-wide, Southern NV Homebuilders, and most Unions). The ordinance for the repurposing (aka development) of dedicated open space was really appreciated by residents in neighborhoods at risk of losing their decades' long access to open space, subject to devastating property value loss and to serious overload of schools, roads and infrastructure. Adopting an ordinance based on other affected jurisdictions' ordinances was a forethinking action taken by the City Council in 2018. I realize that you did not support and voted against this ordinance but **Repealing this ordinance now seems tantamount to broadcasting the message to developers that it is OPEN SEASON on any OPEN SPACE within the CITY OF LAS VEGAS!**

2. I also don't understand why this is happening now when the 2050 Master Plan development is underway? I have attended open houses to give input and one of the main category of goals is **OPEN SPACE!** Public comments and voting on priorities including Open Space and other goals is still open online through the end of July, 2019. Then the **2050 Master Plan is supposed to be adopted by the end of 2019, so this looks like the Council is Putting the Cart Before the Horse to Repeal this Ordinance/Bill 2019-19!**

It seems that the new Council Members are still getting up to speed on this Open Space Ordinance history and development and so I question why this vote is being expedited and who immediately benefits from this quick action. Certainly not any of the neighborhoods with open space at risk to development. This is such a critical issue for all Wards, not just the ones that have been affected so far which precipitated the adoption of the Open Space ordinance in the first place.

I urge you to **VOTE NO on the Repeal of Bill 2019-19** and encourage your fellow Council Members to do same.

Thank you.

Anne Smith
653 Ravel Court
Las Vegas, NV 89145
702-343-7850 c.

Stacey Campbell

From: Jules Smith <julessmith1@mac.com>
Sent: Monday, July 8, 2019 8:53 AM
To: LuAnn D. Holmes
Subject: BILL2019-19 REPEAL VOTE COMMENTS

EXTERNAL EMAIL

1) As a longtime homeowner and resident in Queensridge we have watched our neighborhood(s) continually put on the chopping block, and neighbors pitted against each other. While the elected officials in the City Council and in Ward 2, may have changed, the sentiment of an overwhelming number of homeowners has not.

2) We have not even seen proposals for it's implementation and it is not in the best interest of the community to repeal what the residents have fought so hard and so long to pass.(literally YEARS)

3) Las Vegas is surrounded by mountains and once open space is converted and developed there is no turning back .At what cost do we infringe on the livability and sustainability of our city?
How do you sell the city to future residents when you have squeezed out our open spaces, parks and recreation ? Is it fair to tax paying residents of Las Vegas that the only golf is either expensive privately owned courses or tourist centric hotel owned courses? This particular zoning ordinance may pertain to Ward 2 but it's repeal would have an impact on all golf course communities, especially in light of the upcoming vote regarding the zoning/ rezoning changes pertaining to ALL Master Planned Communities!

4)Therefore we respectfully request that the open space Ordinance pertaining to the repurposing of certain Golf Course and open space remain in effect.

Jules Smith
julessmith1@mac.com
702-592-4631

Stacey Campbell

From: Esthefany Arochi
Sent: Tuesday, July 9, 2019 3:26 PM
To: Stacey Campbell
Cc: Office of the Mayor
Subject: FW: BILL 2019-19 - REPEAL VOTE COMMENTS

FYI

From: Sandra Stacey <jrssstacey@aol.com>
Sent: Tuesday, July 9, 2019 3:20 PM
To: Office of the Mayor <officeofthemayor@lasvegasnevada.gov>
Cc: Esthefany Arochi <earochi@LasVegasNevada.GOV>
Subject: BILL 2019-19 - REPEAL VOTE COMMENTS

EXTERNAL EMAIL

Dear Mayor Goodman,

I am writing to ask you to vote **NO** for a repeal on Bill 2019-19.

The Open Space Ordinance should be kept as is to help protect our neighborhoods and communities.

Thank you for your attention to this matter,

Sandra Stacey
308 Kingsclear Court
Las Vegas, NV 89145

RECEIVED
CITY CLERK
2019 JUL -9 P 1:57

From: **tmsteffora** tmsteffora@cox.net
Subject: Bill 2019-19 - Repeal Vote
Date: July 9, 2019 at 1:35 PM
To: cgoodman@lasvegasnevada.gov
Cc: earochi@LasVegasNevada.GOV

I FIRMLY oppose Councilwoman Fiore proposal to repeal the open space ordinance pertaining to the repurposing of certain golf courses and open space.

Tania Steffora
tmsteffora@cox.net

LuAnn D. Holmes

From: Jenny Twisselman <jennytwizz@gmail.com>
Sent: Tuesday, July 9, 2019 3:09 PM
To: Victoria Seaman; Jordan Sandecki; LuAnn D. Holmes
Subject: BILL 2019-19 - REPEAL VOTE COMMENTS

EXTERNAL EMAIL

Dear Councilman Seaman,

I am a newer resident of Queensridge neighborhood. My family and I moved here for work last year and have fallen in love with Las Vegas. Las Vegas and the Queenridge community quickly become home. My children have flourished here, and I hope never to leave.

However, I am concerned about the property that lies within the neighborhood - formerly, Badlands golf course – currently they unmaintained piece of private property. I fully support any move that protects open/recreational spaces within neighborhoods, especially those that were once used for recreation. The voices of the residents and community should carry more weight than a single developer seeking to earn a profit. There are numerous opportunities all around Vegas for development, but neighborhood recreational areas should not be one of those.

Repurposing recreational spaces for new, more appealing forms of recreations is acceptable. Purchasing land, intentionally neglecting it and leaving it in such a condition that it appears to be maliciously vandalistic unacceptable. Please consider the long-term investment in recreation and community that this space can provide and support any effort to preserve this space.

Thank you,

Jennifer M. Twisselman

LuAnn D. Holmes

From: blaine walker <bewalker@yahoo.com>
Sent: Tuesday, July 9, 2019 11:51 AM
To: Carolyn G. Goodman
Cc: Esthefany Arochi; LuAnn D. Holmes
Subject: BILL 2019-19 - REPEAL VOTE COMMENTS

EXTERNAL EMAIL

Dear Ms. Goodman,

I'm writing to let you know that I oppose the proposal to repeal the Open Space Ordinance pertaining to the re-purposing of certain golf courses and open space. The Ordinance had broad support and was previously approved by the council 4:2. The ordinance ensures responsible development and protections for property owners in ALL neighborhoods in the City. The City Council should protect ALL neighborhoods from "bait and switch" tactics of developers and real estate agents that use open space/golf courses as bait to sell their developments at premium prices and then later switch things up by developing the open space/golf courses irresponsibly with the purpose to maximize profits, not for improving the quality of life in our neighborhoods. Please do not support the proposal to repeal of the Open Space Ordinance because the ordinance ensures responsible development and protections for the quality of life in ALL neighborhoods in the City.

(Please record my comments for the Recommending Meeting on July 15 and City Council Meeting on July 17, 2019.)

Thank you,

Blaine Walker
Ward 2
9729 Queen Charlotte Drive
Las Vegas, NV 89145

Stacey Campbell

From: Carolyn G. Goodman
Sent: Tuesday, July 9, 2019 3:34 PM
To: LuAnn D. Holmes
Cc: Stacey Campbell
Subject: RE: The Open Space Ordinance pertaining to the repurposing of certain golf courses and open space (that Councilman Steve Seroka championed and the Council approved 4:2)

Please.

CAROLYN G. GOODMAN, MAYOR
Las Vegas City Hall
495 S. Main Street
Las Vegas, NV 89101

(702)229-6241

City Hall is closed on Fridays

From: LuAnn D. Holmes <ldholmes@LasVegasNevada.GOV>
Sent: Tuesday, July 9, 2019 3:33 PM
To: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>
Cc: Stacey Campbell <slcampbell@LasVegasNevada.GOV>
Subject: RE: The Open Space Ordinance pertaining to the repurposing of certain golf courses and open space (that Councilman Steve Seroka championed and the Council approved 4:2)

Thank you Mayor. We have Daryl Walter's email that will be submitted as part of the record. However, do you want us to also submit your response as part of the record?

Let us know. Thanks.
LuAnn (and Stacey because I am about to leave on vacation for a week)

From: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>
Sent: Tuesday, July 9, 2019 3:26 PM
To: LuAnn D. Holmes <ldholmes@LasVegasNevada.GOV>
Cc: Brad Jerbic <bjerbic@LasVegasNevada.GOV>
Subject: FW: The Open Space Ordinance pertaining to the repurposing of certain golf courses and open space (that Councilman Steve Seroka championed and the Council approved 4:2)

CAROLYN G. GOODMAN, MAYOR
Las Vegas City Hall
495 S. Main Street
Las Vegas, NV 89101

(702)229-6241

City Hall is closed on Fridays

Pg 1 of 4

From: Carolyn G. Goodman
Sent: Monday, July 8, 2019 11:47 AM
To: Daryl <darylw1@cox.net>
Cc: Jorge Cervantes <JCervantes@LasVegasNevada.GOV>; Robert Summerfield <rsummerfield@LasVegasNevada.GOV>; Lora Kalkman <lkalkman@LasVegasNevada.GOV>; Zachary Bucher <zbucher@LasVegasNevada.GOV>
Subject: RE: The Open Space Ordinance pertaining to the repurposing of certain golf courses and open space (that Councilman Steve Seroka championed and the Council approved 4:2)

Thank you, Mr. Walter, for contacting me. As a government representative of our City, a 55 year resident of Las Vegas, I couldn't agree with you more about the role of elected officials and their duties to citizenry and community. My personal views are always to research the law, learn accurate facts, hear from both sides of an issue, consult with experts and concerned citizens, and then make the best decision possible to serve in the interest of the COMMON GOOD.

First let me share with you the Council's continuing desire and focus to creating more parks and recreational facilities and areas that all of our community can enjoy, equitably. We hold these initiatives as pre-eminent as we assess and plan for City spaces in a short or long-range view.

In specifics to your concern of one area in the City, the Badlands Golf Course, for over four years that area has been of significant consideration, dialogue and evaluation. It remains of great concern to me and the Council as we look into the project overall and ALSO how its challenges could set precedent for other "open spaces." The Badlands is ONLY one of several open-space areas--each has its own differing considerations—and thus a one-size-fits-all ordinance results in additional considerations and issues.

This past year's Open Spaces Ordinance created additional encumbrances and obstacles very specifically for THE developer to have to meet specifically on the Badlands project. What was not clearly considered simultaneously was how such an ordinance would affect other...and any...open-space project developments around the City.

What was also not considered or discussed at large was what triggers were already in place and had been for decades to keep review and permission-to-move-forward collared. These existing triggers had always required developers to get traffic, flood control, CCSD, public meetings, etc., clearance before permission to move forward (step by step) was granted for their projects. Thus almost the entirety of the OS Ordinance is redundant, simply getting further down in the weeds for government involvement, and unnecessarily adding exorbitant costs and time considerations.

Repealing the Open Spaces allows for further considerations and dialogue to come up with a strong, better, fairer review as a positive standard to establish a healthy precedent that will work for all legal and equitable implementation.

Thank you for caring and being involved for we, the residents and businesses ARE THE CITY!

Carolyn

Carolyn G. Goodman
Mayor
Office of the Mayor
702-229-6241
495 S. Main St. | Las Vegas, NV 89101

Pg 2 of 4

CAROLYN G. GOODMAN, MAYOR
Las Vegas City Hall
495 S. Main Street
Las Vegas, NV 89101

(702)229-6241

City Hall is closed on Fridays

From: Daryl <darylw1@cox.net>
Sent: Sunday, July 7, 2019 3:31 PM
To: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>
Subject: The Open Space Ordinance pertaining to the repurposing of certain golf courses and open space (that Councilman Steve Seroka championed and the Council approved 4:2)

EXTERNAL EMAIL

Ms. Goodman:

It is of grave concern to me when elected officials align themselves with private interests and agendas instead of representing the good of the community. In this instance I believe that is what you have done in continuing to support the unbridled development of the once Badlands Golf Course in spite of overwhelming community outcry against such development. It is disappointing as a member of the community who will be gravely affected by a decision to allow the lack of open space between existing developments which were valued based on the proximity to a golf course which is no longer. As an architect I believe that it is vital that the community values it's open spaces and also values the needs of its community above single interest developers. As it pertains to the open space ordinance which Steve Seroka was able to get passed I have the following concerns:

- Why is this ordinance being repealed before it has even been implemented?
- Why are hard fought for protections for affected neighborhoods all over the City under attack?
- What is driving the rush to repeal? why are the 3 new Councilmembers (Brian Knudsen, Olivia Diaz and Victoria Seaman) being asked to take this vote after being in office only 2 weeks?
- Are there development applications for repurposing open space just waiting in the wings for the ordinance to be repealed?
- When the ordinance was adopted, Councilmembers Seroka, Crear, Tarkanian and Coffin voted to pass the ordinance; the Mayor and Councilwoman Fiore voted against.

I urge the Council to vote against the repeal of the Open Space Ordinance as it is a fair and rational step towards the development of communities where golf courses have been closed and are slated for development. Your decision on this is key to the successful development and implementation of standards of such spaces.

Respectfully,

Daryl Walter

Pg 3 of 4

Daryl Walter Architect Inc.
M – 702.250.5593
Email – darylw1@cox.net

Pg 4 of 4

Verlaine Court
Las Vegas, NV

RECEIVED
CITY CLERK

2019 JUL -9 P 4:56

Subject line: Bill 2019– 19– Retail Vote comments.

Dear Council members and staff.

As a homeowner in the Queensridge community, I am in support councilman Steve Soroka's Open space ordinance. This was approved by four to two vote. We cannot continue to go backwards with what you have already approved. Please do not repeal this ordinance.

Our little community has been hurt badly because of the property value declines, stress of pending lawsuits, loss of a beautification because the golf course is now wasteland and safety factors due to the fact that the rats and other wildlife is now coming into the houses from the wasted golf course.

Please let it be known that the land that the developer bought should have been planned out fully before execution and destruction of the golf coarse in my opinion.

I do not support councilperson Fiore's plan to repeal above mentioned Ordinance. Thank you for your consideration.

K. Randy Yeary

Stacey Campbell

From:	Philip Kantor <prsak@aya.yale.edu>
Sent:	Wednesday, July 10, 2019 6:50 AM
To:	Carolyn G. Goodman; Michele Fiore; Stavros Anthony; Cedric Crear; Olivia Diaz; Brian Knudsen; Victoria Seaman
Cc:	Esthefany Arochi; Felecia Dorchuck; Becky Skouson; Tanya Jackson-Renter; zgomes@lasvegasnevada.gov; Susan Finucan; Jordan Sandecki; LuAnn D. Holmes
Subject:	BILL 2019-19-REPEAL VOTE COMMENTS

EXTERNAL EMAIL

Dear Council Members;

We urge you to pass the resolution now being offered by Councilwoman Fiore. We live directly on what was formerly the Badlands golf course. The plan to develop the space by the current owner was completely acceptable and, indeed, more desirable than having the land as a golf course was, and infinitely better than it is today. The developer has been left in limbo. The land is now a wasteland and desirable to no one but stray coyotes and members of the malicious public, all of whom are now directly at our back door. The open space is unsightly, and an economic burden to the city since it is completely unproductive. We earnestly believe that this has been the product of corruption, for which homeowners are paying the price. It is false that councilman Steve Seroka "championed" an ordinance that is popular with homeowners' associations, homebuilders, or unions. On the contrary, these groups were and are adamantly opposed to the "open space ordinance," and the sooner it is repealed, the better off we will be, perhaps even with improved home prices. Time is of the essence, because no one knows when the current economic expansion will end. If this horrible open space ordinance is allowed to continue until the economy turns, we will enter an endless cycle of doom in which we will never obtain value for our house. Please vote yes on Councilwoman Fiori's repeal initiative.

Respectfully,

Philip A. Kantor
9408 Provence Garden Lane
Las Vegas, NV 89145

LuAnn D. Holmes

From: chad stratton <cstratton5@hotmail.com>
Sent: Wednesday, July 10, 2019 1:33 PM
To: Victoria Seaman
Cc: Jordan Sandecki; LuAnn D. Holmes
Subject: SUPPORT TO REPEAL OPEN SPACE ORDINANCE

EXTERNAL EMAIL

Hello,

I am writing in **SUPPORT TO REPEAL** the Open Space Ordinance that may possibly voted on in the July council meeting. Thank you!

Chad Stratton
9212 Worsley Park Pl
Las Vegas, NV 89145

702-379-5452

LuAnn D. Holmes

From: Michael Johnson <mlj858@gmail.com>
Sent: Tuesday, July 9, 2019 12:33 AM
To: Victoria Seaman; Jordan Sandecki
Cc: LuAnn D. Holmes
Subject: Bill 2019-19 Repeal Vote Comments

EXTERNAL EMAIL Dear Councilwoman Seaman My wife and I are residents of Ward 2 in Las Vegas and offer the following comments in opposition to the potential repeal of the Open Space Ordinance ("OSO"). We respectfully requests that our comments be recorded for the July 15, 2019 Recommending Meeting as well as the July 17, 2019 City Council Meeting. It is our view that any repeal of the OSO would be short sighted and not in the best interest of city residents and the community. By requiring land developers to implement impact studies, among other requirements, prior to development plan submissions, furthers "full transparency" in real estate development projects and promotes the health, safety and welfare of all within the community. The OSO also protects the property values of impacted homeowners. We understand that this is also the view taken by many home builders in Las Vegas as well as supported by most unions. In closing, we vehemently object to any repeal of the OSO. Respectfully submitted, Michael and Andrea Johnson 301 Kingsclear Ct. Las Vegas, NV 89145

LuAnn D. Holmes

From: Camille Leavitt <camilleleavitt@aol.com>
Sent: Friday, July 12, 2019 8:50 AM
To: Victoria Seaman
Cc: Jordan Sandecki; LuAnn D. Holmes; Stacey Campbell
Subject: BILL 2019-19 - REPEAL VOTE COMMENTS - JULY 15, 2019 RECOMMENDING COMMITTEE MEETING AND JULY 17, 2019 CITY COUNCIL MEETING

EXTERNAL EMAIL

TO: Mayor Carolyn Goodman
Mayor Pro Tem Michelle Fiore
Councilman Stavros Anthony
Councilman Cedric Crear
Councilwoman Olivia Diaz
Councilman Brian Knudsen
Councilman Valerie Seaman

FROM: Camille and Lawrence R. Leavitt
camilleleavitt@aol.com
308 Windfair Court
Las Vegas, NV 89145 (Ward 2)

RE: **BILL 2019-19 - REPEAL OF OPEN SPACE ORDINANCE VOTE COMMENTS**

PLEASE ENTER INTO THE RECORD FOR MEETING OF THE RECOMMENDING

MEETING ON JULY 15, 2019 AND

CITY COUNCIL MEETING ON JULY 17, 2019

DATE: July 9, 2019

We are writing you today in **OPPOSITION** to the proposed reconsideration and/or repeal of the Open Space Ordinance which is to be presented at the above meetings, July 15 and 17, 2019, by Councilwoman Michelle Fiore.

As our representative in Ward 2, we implore you to vote "No" on this item. We live in Queensridge and hope that you will support your constituents who live in here and have been going through trying times over the last 2 years with the issues concerning the Badlands golf course.

As you know, this ordinance was passed by a 4-2 vote and has not yet even been implemented. The 2 dissenting votes were by Mayor Goodman and Councilwoman Fiore. This ordinance had broad support from the many communities with open space/golf courses, the Southern Nevada Homebuilders, and most of the unions here in Las Vegas.

Our questions to you, Mayor and City Council are:

Why is Councilwoman Fiore bringing this ordinance back up for reconsideration, to repeal it, before it has even been implemented?

Why are such hard fought protections for affected neighborhoods all over the City of Las Vegas under attack?

What is the rush to repeal the Open Space Ordinance?

Why are our 3 new council members being asked to take this vote after being in office only 2 weeks?

Are there development applications for repurposing open space waiting in the wings for the ordinance to be repealed?

We would appreciate your consideration on this item and would appreciate and answer to ALL OF THE ABOVE questions.

We urge you to vote to ensure the most responsible development and to protect the quality of life in ALL neighborhoods in the City in which we love and choose to live and raise our families.

We live in Ward 2, and Councilwoman Victoria Seaman is our new council representative. We wish her well and hope that she will be fair to all of the residents whom she now represents.

WE URGE YOU TO VOTE "NO" TO RECONSIDER AND/OR REPEAL THE OPEN SPACE ORDINANCE!!

Thank you.

LuAnn D. Holmes

From: VALENTINA TORTOMASI <vtortomasi@me.com>
Sent: Thursday, July 11, 2019 11:38 PM
To: Jordan Sandecki
Cc: LuAnn D. Holmes
Subject: Repeal of Open Space Ordinance

EXTERNAL EMAIL

Hello,

I am in **support of Repealing the Open Space Ordinance.** As a homeowner in Tudor Park at Queensridge, I feel the Badlands Golf Course should be developed by the new owner to improve the community and help raise our property values. The board members of Queensridge HOA have created more problems for the community by resisting and fighting any options that the developer has presented. They refuse to consider any plans for improvement and fail to realize that it will never be a golf course again as it went under due to lack of memberships and funds to maintain it.

Please consider my opinion when voting on this crucial issue.

Thank you,

Valentina Tortomasi
9168 Worsley Park Pl.
Las Vegas, NV 89145

702-496-9240

LuAnn D. Holmes

From: Vincent Latona <vlatona@me.com>
Sent: Friday, July 12, 2019 11:07 AM
To: Jordan Sandecki
Cc: LuAnn D. Holmes
Subject: RETAIN the Lawfully passed Open Space Ordinance

EXTERNAL EMAIL

I am writing to express my support to RETAIN the Open Space Ordinance pertaining to the repurposing of certain golf courses and open space (that the Council approved 4:2) which is now being is being challenged. Clearly this is a political 'hot button' however it has an immediate and devastating effect on the homeowners of this city.

REPEALING the ordinance at the next Council Meeting would OPPOSE the broad support it has from communities with open space/golf courses, the Southern Nevada Homebuilders, and further, most of the Unions.

I respectfully urge you to vote AGINST this repeal.

Sincerely,

Vincent F. Latona
9712 Winter Palace Drive
Las Vegas, NV 89145

PLEASE VOTE NO ON

REPEAL OF BILL 2019-19

Submitted July 15, 2019 at Recommending Committee Meeting for City Council Meeting on July 17, 2019 – By Anne Smith, 653 Ravel Court, Las Vegas Nevada 89145

Submitted At 7-15-2019
Recommending Meeting
by Anne Smith
Item 3



City Council - Page 675

Photo 1 of 7 - Recent Google Earth – Badlands reverted to Desert Environment – Denuded of Most Trees

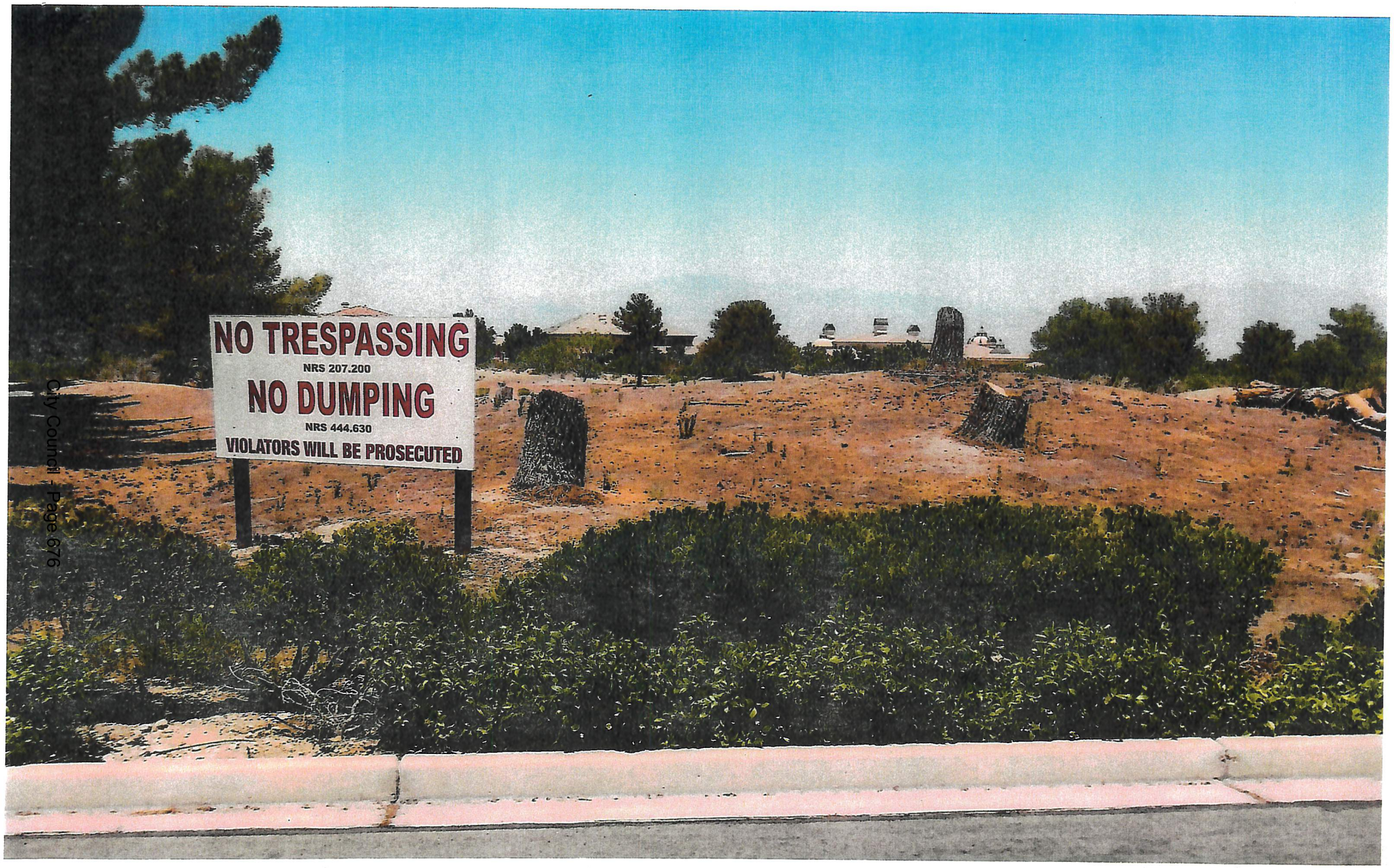

Photo 2 of 7 – Queensridge S. Gate Entrance – Sign Greeting All Visitors and Residents – Ugly Tree Stumps

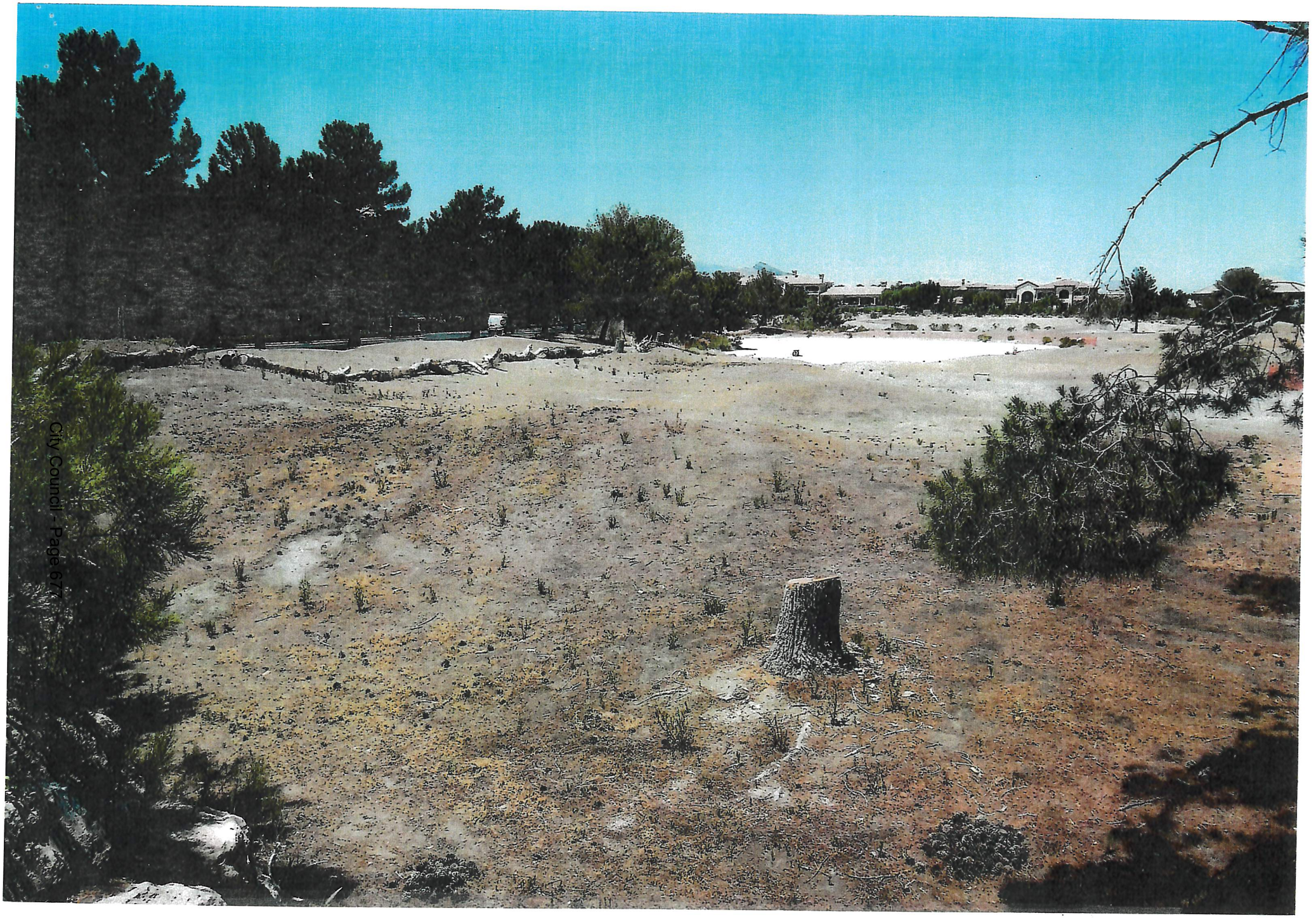

Photo 3 of 7 – Queensridge S. Entrance - Unsightly Stumps and Debris Piles Adjacent to Entrance Roads

City Council - Page 678



Photo 4 of 7 – Queensridge S. - Ugly Orange Plastic Fencing around Empty Lakes Adjacent to Entrance Roads



Photo 5 of 7 – Recent Aerial of Debris Piles and Construction Material on Badlands Driving Range



Photo 6 of 7 – Recent Aerial of Queensridge N. and Badlands at Hualapai and Alta – No Fence & Open Access



Photo 7 of 7 – Blatant disregard for adjacent Queensridge neighbors



July 9, 2019

Frank A. Schreck
Attorney at Law
702.382.2101 tel
702.382.8135 fax
fschreck@bhfs.com

Stavros Anthony, Councilman
Cedric Crear, Councilman
Olivia Diaz, Councilwoman
Brian Knudsen, Councilman

RE: **Councilwoman Fiore's ("Fiore") ordinance to repeal City Ordinance pertaining to the Repurposing of Golf Courses and Open Space as well as changing the definition of "Open Space" in Title 19,Chapter 18,Section 20 (Exhibit 1).**

Dear Council Members:

I regret that I will not be able to attend the City Council Meeting on July 17, where the above referenced ordinance changes purposed by Fiore are scheduled to be heard by the City Council. I will be traveling out of the country on vacation which was planned many months before Fiore purposed the ordinance changes. Since I will not be present at the Council hearing, I will share some of the reasons for my opposition to Fiore's proposals.

1. Repeal of the Golf Course and Open Space Repurposing Ordinance ("Repurposing Ordinance")

I believe there will be a number of speakers addressing the total lack of merit and absence of any legitimate basis to support the repeal of the Repurposing Ordinance which is the culmination of hundreds of hours of citizen input and City staff research and drafting. The Repurposing Ordinance, which is substantially weaker than that adopted by the City of Henderson, only requires a developer who wishes to repurpose a Golf Course and/or Open Spaces to follow certain procedures to provide the home owners who purchased their homes in reliance upon the City's mandated requirement for Open Spaces to be provided with common sense protections. Most, if not all, of the steps that are required for developers to repurpose a Golf Course or Open Spaces have always been followed by responsible developers taking into consideration the rights of impacted home owners during the development and planning stages of the repurposing project. There can be no greater example of the need for such a Repurposing Ordinance to protect a developed community from an irresponsible and punitive developer as Queensridge. EHB has purposely decimated the Open Space/Golf Course, cut down trees so anyone entering the community can see the blight created by the developer, drained the ponds killing the wildlife, placed large "No Trespass" signs along the entry ways to the community and removed the fence/hedge on Hualapai/Alta which now allows anyone to freely walk into our previously guarded and safe community. Developers, like the one sponsoring the repeal of the Ordinance, do not care how its actions may destroy property values and the quality of life of impacted home owners as well as their safety. The Repurposing Ordinance provides needed protections to home owners.

2. Fiore's request to amend the definition of "Open Space" in Title 19, Chapter 18, Section 20 to delete from the current definition the language "**As part of, and in consideration of development approval**, has been formally set aside, dedicated, designated, or reserved for public use or enjoyment or for the private use and enjoyment of owners and occupants of land adjoining or neighboring such area",

Submitted At 7/15/19
Recommending Meeting
by Gordon Cuyp

Item 3

100 North City Parkway, Suite 1600
Las Vegas, NV 89106-4614
main 702.382.2101

diminishes the City's ability to enforce the obligations of developers to provide Open Space they promised as a condition for approval of their project.

The only purpose Fiore suggested change is to remove important enforcement language to assist EHB in its quest to develop Badlands Open Space and to deny decades old Open Space rights to residents of Queensridge which were required to be offered by the original developer and were approved by the City Council in its 1990 approval of the Peccole Ranch Master Development Plan – Phase II. ("PRMP")

Since 1983, the Las Vegas Municipal Code (19.18.010) has indicated that the purpose of a planned unit development (R-PD), such as PRMP, is to allow a maximum flexibility for imagination and innovation in residential design and land utilization and to promote an enhancement of residential amenities by means of **an efficient consolidation and utilization of open space**. Beginning in 1986, Section 19.18.080, the City Code began requiring Open Space for all developments containing single family compact-lots to an R-PD Zoning District. In 1998, the City revised Title 19 which required Open Space for all R-PD projects and added Section 19A.0.040.G which required an allocation of Open Space for any R-PD of 12 or more units. It also added, for the first time, a specific percentage of required Open Space based upon density and size of the R-PD. Prior to that time, the City and developer agreed upon the amount of Open Space and that Agreement was, in essence, a condition of approval. In 2011, when the R-PD was repealed and folded into the P-D Zoning District, the revision still mandated the guidelines for the physical development of Open Space in a P-D. It is that definition of Open Space that Fiore, on behalf of EHB, wants to amend.

Since at least 1983, the City has required developers of R-PD (now P-D) Districts, as part of the City's approval of R-PD (now P-D) projects, to create Open Space for the use and enjoyment of the residents of that planned community. That is exactly what occurred with the City Council's approval of the PRMP in 1990, as well as all of the other R-PD and P-D Districts in the City of Las Vegas that have been approved on the condition that Open Space be created for the benefit of the residents of those specific planned communities. It is unconscionable to believe the City Council could even consider such an attempt to change the vested and established rights of Open Space granted to tens of thousands of Las Vegas residents to benefit of a single developer.

There is no public purpose or public benefit from changing the definition of "Open Space" as Fiore requests on behalf of EHB. Fiore's proposal has only one purpose, and that is to help create an argument for EHB relative to specific findings of the Honorable Jim Crockett in his decision of March 1, 2018. On January 11, 2018, Judge Crockett, in open court, discussed the reasons which what would subsequently become his written decision. In his open court statement, Judge Crockett said the following (Exhibit 2):

> "At the time that was done 25 years ago or more the City mandated these designations to address the natural flood problem and the open space necessary for master planned development.
>
> Phase II of the Peccole Ranch Master Plan was approved on April 4, 1990. That specifically defined the Badlands 18 hole Golf Course as flood drainage in addition to satisfying the required open space necessitated by the City for master planned development.
>
> The Phase II golf course open space designation was for 211.6 acres". (January 11, 2018 Hearing Transcript, Page 6)

Consistent with his statements in open court, Judge Crockett repeated the same Open Space concept in his March 1, 2018 Written Decision, Section 10, page 4 of his Findings of Fact, when he stated that the Las Vegas City Municipal Code confirmed that the approval of any R-PD or R-D residential project must contain a requirement for the developer to provide Open Space in its project (Exhibit 3). Fiore, on behalf of EHB

wants to delete the language which makes it clear that the City's approval of an R-PD or P-D Project is conditioned on the consideration of Open Space provided by the developer within the project.

3. THE DEVELOPER HAS NO VALID INVERSE CONDEMNATION CLAIM AGAINST THE CITY OF LAS VEGAS

For more than 3 years the developer has alleged either publically or through numerous lawsuits against the City that it has an Inverse Condemnation Claim against the City of Las Vegas for hundreds of millions of dollars based upon its claim that the City has taken vested property rights the developer claims it has to build residential units on the Badlands Golf Course. The developer's allegations are essentially based upon misrepresentations by the City Attorney and the former Planning Director relative to the City's 1990 approval of the PRMP, subsequent approvals related to the PRMP and the City's Municipal Code. For almost 4 years, the City Attorney and former Planning Director have argued that the developer has the right to build up to 7.49 residential units per acre on the Badlands Golf Course. They have continually maintained this position despite the numerous planning staff reports stating unequivocally that the developer had no vested rights to develop on the golf course, but could purse development through the filing of a Major Modification of the PRMP and an Amendment to the City's General Plan, changing the General Plan to allow for residential development. In addition, the City officials have been bombarded with numerous legal memorandum and testimony from professional land use experts stating that the developer has no vested rights to build residential units on the Badlands Golf Course. All falling on deaf ears.

Despite the fact that the City of Las Vegas has paid, and will continue to pay, hundreds of thousands of dollars to outside lawyers to defend itself from the Inverse Condemnation lawsuits filed by the developer, these two City employees have yet to publically state that their position in respect of the developer's claim of a right to build 7.49 residential units per acre on the Badlands Golf Course which is the basis of these lawsuits, was wrong.

In order to protect the Queensridge community from the developer's wrongful attempts to seek approval to develop residential units on the Badlands Golf Course, and indirectly, to protect the City from its Inverse Condemnation Claims, the Queensridge residents financed litigation against the City and the developer which resulted in Clark County District Court Judge Jim Crockett's oral statement to the parties on January 11, 2018 (Exhibit 2) and his Written Decision dated March 1, 2018 (Exhibit 3). Judge Crockett specifically rejected the City Attorney's interpretation of the Municipal Code and clearly found that in order for the developer to seek approval from the City to develop on the Badlands Golf Course, the developer had to file an application for a Major Modification. Judge Crockett's Decision was based upon the plain reading of LVMC 19.10.040, Subsection G and months of Planning Department Staff Reports stating that the PRMP does not allow the development of residential units on the Badlands Golf Course. To be able to do so, the developer would have to file a Major Modification of the PRMP and an Amendment to the City's General Plan to change the PROS designation to allow residential development. Judge Crockett's Decision clearly finds that the developer did not have the vested right to build up to 7.49 residential units per acre on the Badlands Golf Course. His Decision not only confirmed the position taken by the Queensridge residents for more than 3 years, but it also provided the City with the defense against the developer's claims for Inverse Condemnation since the City could not take away rights the developer did not have. Inexplicably, the City Attorney requested the City Council to appeal the Crockett Decision which provided it protection against hundreds of millions of dollars of Inverse Condemnation Claims. Fortunately, the City Council did not appeal the Crockett Decision. Therefore, the City is bound by that Decision, even though the developer has appealed it to the Nevada Supreme Court.

Under the caption "Beware what you ask for", the developer filed a Civil Rights action against Councilman Seroka and Councilman Coffin alleging numerous Civil Rights violations. On December 21, 2018, Federal District Court Judge James C. Mahan issued an Order Dismissing the Plaintiff's Civil Rights Complaint.

Specifically, in Dismissing the developer's claim it was denied procedural due process by the City, the Court held that the developer "Did not have a Due Process Right to develop the Badlands property because State law did not significantly limit the City Council's discretion in adjudicating Plaintiff's applications to develop the land..... The Court based it's ruling on a plain reading of the Las Vegas Unifying Development Code and NRS 278".

After Judge Mahan issued his Order, the developer asked for a Reconsideration of the Court's Decision specifically related to the Court's finding in respect of its dismissal of the Procedural Due Process Claim. On May 2, 2019, Judge Mahan Denied the developer's Request for a Reconsideration and once again, specifically confirmed that the developer did not have "A protected property interest to develop the Badlands property...."(Exhibit 4). Federal District Court Judge Mahan's Decision confirmed the Findings of Judge Crockett that the developer has no vested right to develop residential units on the Badlands Golf Course.

It should also be noted, that Judge Mahan also rejected the developer's absurd argument that Findings in an earlier Decision by Judge Doug Smith, which was reviewed and affirmed IN PART by the State Supreme Court supported its right to develop the Badlands. Judge Mahan found that the Judge Smith decision did not address the developer's right to develop the Badlands property. It was merely deciding whether the master planned community documents for the Queensridge Common Interest Community prevent or otherwise impact development of the Badlands property. Judge Mahan found that the developer was confusing the 2 issues. Therefore, any continued argument by the developer relying upon Judge Smith's Decision and the Nevada Supreme Court's Disposition of that case would be in bad faith and totally irrelevant to the zoning issues.

Finally, the developer has created another specious argument by recently publically commenting on a U.S. Supreme Court ruling which stated that developers and landowners may sue immediately in Federal Court and bypass State or Local Government (Exhibit 5). That Decision has nothing to do with the developer's claims regarding the Badlands Golf Course or the Inverse Condemnation allegations against the City of Las Vegas. Assuming the developer filed another action in Federal Court, it is clear that any claims against the City would be rejected based upon the fact that the Federal Court, pursuant to Judge Mahan's Decision (Exhibit 5), has already ruled that the developer has no protectable rights to develop on the Badlands Golf Course. This is just another in a long string of baseless contentions advanced by the developer to pressure the City Council to give him what he wants.

Fiore's attempt to repeal the Repurposing Ordinance and change the definition of "Open Space" is not intended to benefit the City of Las Vegas or its residents. It is blatant form of political payback to a single developer at the expense of the City and its residents, including those she supposedly represents. To approve either of Fiore's requests would be an affront to thousands of Las Vegas homeowners living in master planned communities who believe that City Government is there to protect them.

Sincerely,

Frank A. Schreck

FAS:mlg

19454893
7/9/19

1

BILL NO. 2019-19

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL LVMC 19.10.105, PERTAINING TO THE REPURPOSING OF CERTAIN GOLF COURSES AND OPEN SPACES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilwoman Michele Fiore

Summary: Repeals LVMC 19.10.105, pertaining to the repurposing of certain golf courses and open spaces.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Ordinance No. 6289 and the Unified Development Code adopted as Title 19 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended as set forth in Sections 2 and 3 of this Ordinance. The amendments in those Sections are deemed to be amendments to both Ordinance No. 6289 and the Unified Development Code adopted as Title 19.

SECTION 2: Title 19, Chapter 16, Section 105, is hereby repealed in its entirety.

SECTION 3: Title 19, Chapter 18, Section 20, is hereby amended by amending the definition of the term "Open Space" to read as follows:

Open Space. Any parcel or area of land or water that:

1. [As part of, and in consideration of development approval, has] Has been or is to be formally set aside, dedicated, designated, or reserved for public use or enjoyment or for the private use and enjoyment of owners and occupants of land adjoining or neighboring such area; and

2. Is either unimproved or includes only improvements that pertain to or are incidental to the intended use and enjoyment of the area. Such improvements may include structures, amenities, landscaping, paving or other surface treatments that provide for or facilitate recreation and enjoyment, or that provide for support and maintenance of the area for its intended purposes.

SECTION 4: For purposes of Section 2.100(3) of the City Charter, Section 19.18.020 is deemed to be a subchapter rather than a section.

SECTION 5: The Department of Planning is authorized and directed to incorporate into

the Unified Development Code the amendments set forth in Sections 2 and 3 of this Ordinance.

SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2019.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 5-21-19
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2019, and referred to a committee for recommendation, the committee being composed of the following members _____; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2019, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

AGENDA SUMMARY PAGE
City Council
Meeting of: June 5, 2019

Agenda Item No.:
43

DEPARTMENT: City Attorney **DISCUSSION**
DIRECTOR: Brad Jerbic

SUBJECT:
NEW BILLS:

Bill No. 2019-19 - Repeals LVMC 19.10.105, pertaining to the repurposing of certain golf courses and open spaces. Sponsored by: Councilwoman Michele Fiore

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
Last year the City Council, by means of Ordinance Nos. 6617 and 6650, adopted a number of procedures and standards relative to the repurposing of certain golf courses and open spaces. Those ordinances were codified in LVMC 19.10.105. This bill would repeal that section, in effect returning to the processes and standards that would have applied had that section not been adopted.

RECOMMENDATION:
This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:
1. Bill No. 2019-19
2. Code Section being Repealed

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TRAN

IN THE EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA

JACK BINION, Plaintiff,	)	
vs.	)	Case No.A-17-752344-J
	)	Dept. No. 24
LAS VEGAS CITY OF, ET AL, Defendants.	)	

HEARING

Before the Honorable Jim Crockett

Thursday, January 11, 2018, 9:00 a.m.

Reporter's Transcript of Proceedings

REPORTED BY:

BILL NELSON, RMR, CCR #191
CERTIFIED COURT REPORTER

APPEARANCES:

For the Plaintiff: Todd Bice, Esq.
Dustun Holmes, Esq.

For the Defendants: Christopher Kaempfer, Esq.
James Smyth, Esq.
Stephanie Allen, Esq.
Philip Byrnes, Esq.
Todd Davis, Esq.

Las Vegas, Nevada, Thursday, January 11, 2018

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THE COURT: Jack Binion versus Las Vegas City Of. Please tell me that somebody ask this be reported.

THE COURT REPORTER: No, Judge.

MR. BICE: We'll make that request, Your Honor, Plaintiffs will.

Todd Bice and Dustun Holmes on behalf of the Plaintiff.

MR. HOLMES: Dustun Holmes on behalf of Plaintiff.

MR. KAEMPFER: Chris Kaempfer, K-a-e-m-p-f-e-r, my father was a Court Reporter, on behalf of Defendant Seventy Acres, together with James Smyth from our firm and Stephanie Allen.

And we have in-house counsel Todd Davis on behalf of Seventy Acres.

MR. BYRNES: Phil Byrnes for the City Of Las Vegas.

THE COURT: All right.

Have a seat.

MR. KAEMPFER: Your Honor, if I could, also Yohan Lowie and Vickie DeHart are the ownership on

behalf of Seventy Acres are here in court.

THE COURT: Mr. Lowie and who?

MR. KAEMPFER: Vickie DeHart.

THE COURT: Okay.

So I have read and reread these briefs several times now. I've read them a minimum of two times, and in some cases three times.

The matter has been very competently and comprehensively briefed by counsel for the Petitioners, for Seventy Acres, and for the City of Las Vegas, and I appreciate that.

I want to tell you what my inclination is, and I will then reference some of the things from the briefs that I think would help to explain what my inclination is and why, and then I will invite counsel to make any addition oral argument they wish to make that isn't a reiteration of what is in your briefs.

Please be comfortable knowing that I have read your briefs. They are heavily highlighted and annotated, and I have referred to the exhibits you have directed me to. I realize not all 23,000 pages were included, but I appreciate that too, there's no need to include things that don't specifically support and oppose a point.

So I've looked at the -- although I didn't have the original unabridged set of City's exhibits first presented in the black binder, then I got the other set in the white binder, and I've had a chance to review records, and I'll call it testimony, even though it's unsworn, of people who spoke at the various hearings.

I find the Petitioners' arguments persuasive.

I think that the city failed to follow LVMC, Las Vegas Municipal Court, Rule 19.040, and staff recommendations that a major modification needed to be approved in order for the application to be approved. I realize that there were 23,000 pages of information, but the city and Seventy Acres repeat this many times, but the mere volume or number of pages is really not something that necessarily carries the day.

The question is, what do they say?

There is -- For the Court Reporter's benefit I'll say, there is reference to Peccole Ranch Master Plan and Peccole's P-e-c-c-o-l-e, and there's a reference to Peccole Ranch Master Plan number II, Roman numeral two.

Historically this is a project that had --

there was a phase 1 of Peccole Ranch, and Badlands, which was a golf course in phase 2 of Peccole Ranch. Both golf courses were designed to be in a major flood zone and were designated as flood drainage and open space.

At the time that was done 25 years ago or more the city mandated these designations to address the natural flood problem and the open space necessary for master plan development.

Phase 2 of the Peccole Ranch Master Plan was approved on April 4th, 1990. That specifically defined the Badlands 18-hole golf course as flood drainage, in addition to satisfying the the required open space necessitated by the city for master planned development.

Keep in mind that I've lived here since 1952, 1-9-5-2, so I am familiar with how things looked before master planning became the way things are done here in the Vegas Valley.

The phase 2 golf course open space designation was for 211.6 acres.

The William Peccole family knew that residential development would not be feasible in the flood zone, but as a golf course. It could also be used to enhance the value of the surrounding

residential lots.

The staff, when it finally came down to the application for the subject 17.49 acres, the staff repeatedly explained that this had to be a major modification had to be made to the master plan in order to approve the application.

The staff said, the site is part of the 1569 acre Peccole Ranch Master Plan. This is the staff speaking.

Pursuant to title 19.10.040, a request has been submitted for a modification to the 1990 Peccole Ranch Master Plan.

So the applicant new that they needed to apply for that, and staff said it was necessary.

In terms of the record I'm referring to, I'm referring to pages 1 through 27 -- pages 2425, through 2428, pages 6480 to 6490, and pages 17,362 to 17,377.

The next thing staff said is, the site, and this is in quotes, the site is part of the Peccole Ranch Master Plan. The appropriate avenue for considering any amendment to the Peccole Ranch Master Plan is through the major modification process as outlined in title 19.10.040, close quotes.

Quoting again, the staff says, the current

general plan amendment rezoning and site development review requests are dependent upon action taken on the major modification, close quotes.

Next, the proposed development requires a major modification on the Peccole Ranch Master Plan.

Next quote, the department of planning has determined that any proposed development not in conformance with the approved 1990 Peccole Ranch Master Plan would be required to pursue a major modification.

Next, the Peccole Ranch Master Plan must be modified to change the land use designations from golf/drainage to multi-family prior to approval of the proposed general plan amendment.

The next quote, in order to redevelop the property as anything other than a golf course or open space, the applicant has proposed a major modification of the 1990 Peccole master plan.

The last quote I'll reference of staff, in order to address all previous entitlements on this property, to clarify intended future development relative to existing development, and because of the acreage of the proposal for development staff has required a modification to the conceptual plan adopted in 1989 and revised in 1990.

This alone, without getting into the question of substantial evidence, is legally fatal to the City's current approval of this application because legally they were required to first deal with and make an approval of a major modification to the master plan, and that was never done.

Instead, over the course of many months there was a gradual retreat from talking about that, and instead all of a sudden that discussion and the need for following staff's recommendation just went out the window.

I realize that the city attorneys office offered his interpretation of the law and said that he didn't think that a major modification was required, but the Court's not bound by that, that is simply counsel advising their client.

The city is not permitted to change the rules and follow something other than what was already in place.

The people who bought into this Peccole Ranch Master Plan 1 and 2 did so in reliance upon what the master planning was. They bought their homes, some of them made a very substantial investment, but no one making an insubstantial investment, and they moved into the neighborhood.

I realize that something has happened with the golf course. I myself have never been on this property, I think I went to somebody's home that was somewhere in Queens Ridge one time several years ago, but that's been my total exposure to it, but I understand there was a transfer of the golf course leased property from one person to another, and ultimately a decision was made to close the golf course.

Though one of the things that was interesting in the latter staff recommendations was the applicant began to I guess wear down the City's and the planning department's resistance to this idea was -- well, I'll deal with that later.

The staff made it clear that a major modification was mandatory.

The city can't decide to just ignore that and not go through that process.

With regard to substantial evidence, I'm not going to weigh evidence or offer my opinions on whether the evidence was greater or less than something to substitute fact finding by the city, but the initial flaw, which is a fatal one, is the legal flaw, which is failure to deal with the major modification that was required in order to approve

this application. That in and of itself standing by itself tells me that the city abused its discretion in approving this plan.

When we look at the question of whether or not substantial evidence supports it, it's ironic that the city and Seventy Acres, they want to point to staff recommendations that were made toward the end of this process, but they want to disregard the repeated recommendations by staff in the earlier stages which made it clear that a major modification was a requirement.

Respondents' claim that the staff reports are substantial evidence supporting the city council's approval, but ignore the fact that the staff reports continuously emphasize that approval of the applications were dependent upon a major modification to the Peccole Ranch Master Plan.

Also, when I look at the testimony that was offered by various people at the hearing.

I note that a Michael Buckley made a very cogent but succinct presentation as to why he opposed this application, and that is in the record at page 17,261 and 17,262.

Frank Shreck made an excellent explanation as to why he was opposed to this, and that is in the

record at pages 17,262 to about 17,266, including his responses to questions that were posed to him.

There was also an individual, I think his name was George Garcia, who saw the big picture here, and that is that the progress to all intents and purposes is incompatible with the master plan that is currently in existence out there, and that's why a major modification would be necessary.

One would basically have to allow the tail to wag the dog, so that the applicant's request to allow it to develop the 17.49 acres as requested would be permitted.

I think that in terms of the duties that the city council has, as well as the planning commission, it is to protect and serve. They need to protect the property rights of those who are already committed and invested in a project, and while they can consider an application such as the one that is under consideration here, the applicant did create his own problems because the applicant -- a representative for the applicant, Mr. Yohan Lowie, testified at the hearing that he bought this property before he got zoning approval to do what he envisioned doing, and of course that paints him into a corner.

The old saying is, you are buying a pig in a poke, which means you're buying something in a burlap sack, you don't know what it is, and you are paying a price for it based upon what you think you are buying.

The problem is, he also indicated that he had secured pre-approval from every member of the city council before he made this purchase.

Well, of course he's welcome to have conversations with the members of the city council about what his plans and intentions are, and by the way it's not disputed by any members of the city council he made that representation, and I guess I could reference it specifically, it's in the record at the November 16th, 2016 city council meeting, and the pages 6454 he says at line 6 -- 7364 to 7365 -- I came to all of you, every single one of you here, before I purchased this golf course, and I told you here's the dilemma.

Well, okay, but before making such a substantial investment typically what one does is, one makes the purchase conditioned upon being able to secure the zoning that is going to make this a smart and wise deal for the purchaser, and apparently that wasn't done. The cart was put in front of the horse.

And I mention this parenthetically because whether he did or didn't is of no consequence to me, I think that's the purely legal determination that LVMC 19.040 was not complied with means necessarily that city council abused its discretion, and their approval of the application was legally improper.

I also think that with regard to whether there's substantial evidence to support it that cannot be said at all.

I think because the early indications from the same staff representatives were that major modification needed to be done, and the evidence suggested that city council chose to just ignore and side-step or otherwise steam-roll past it and do simply what the applicant wanted, without justification for it, other than the applicant's will that it be done.

So that's my intended ruling.

I'm happy to hear from council for Seventy Acres and from the City Of Las Vegas, but I need to let you know that if I find you just repeating what is said in your briefs that I read, I'm going to interrupt you and say, you said that in your brief, and I saw that.

I'm asking you to augment anything you wish

to augment.

Mr. Kaempfer.

MR. KAEMPFER: Thank you, Your Honor.

I will deal with just three points.

First of all, with regard to purchasing the property as a pig in the poke, Mr. Lowie received a letter from the City Of Las Vegas that is part of our record indicating that the property is zoned for 17.49 acres RPD-7, so you rely -- You know, I've done a little bit of this over the last 40 years, you rely on representations that you get from the city as to what property is zoned before you make that purchase.

So that is point number 1.

Point number 2 with regard to the modification, it has to be remembered that there are two separate applications that were filed.

The first application that was filed related just to this 17 acres, that application was delayed, so that we could at request of city council do an application on all of the property. They wanted to see everything. They wanted to see the whole project develop.

It was with regard to that project, the whole project developed, a development agreement that they said, and we want you to do a major

modification.

So when we talk about when the major modification is required, it's required when they ask us to do the whole thing.

Now, ironically then we present the whole thing in front of the city counsel, the planning commission, the planning commission denies it. So we withdraw that portion of it, and we move forward only with the 17 acres.

So the major mod that we filed was with this whole project, not with the 17 acres.

Now, that is the first point.

The second point, we then took the 720 units that we originally applied for, and reduced it to 435. When it was reduced to that amount, it then fit within the allowable remaining multi-family units under the Peccole plans.

We have always believed, and we're going to hear from the city that it's not part of the major modification process, and they have demonstrative evidence to show you in that regard, but --

THE COURT: Let me ask you, do you consider this property where the 435 units would be to not be part of the open area drainage?

MR. KAEMPFER: This part was all part of

the golf course.

THE COURT: Right.

MR. KAEMPFER: Not all the golf course has drainage issues on it, and I thank you for asking.

No, it's -- All the golf course is part of drainage, some have drainage issues, some don't.

We can develop some right now, others would require a FEMA approval, so there's a lot --

THE COURT: I saw where a drainage plan was to be submitted. Was it ever actually submitted?

MR. KAEMPFER: Yes, we submitted a plan, it was reviewed, and the county approved conceptually what we were doing, what we would have to do if we wanted to develop the whole 250 because we have to go underground with some underground boxes and then take those out just like they did over at Tivoli across the street.

But I can't emphasize enough, Your Honor, that the two different applications, that this one stands on its own, that if we were here on that 250, and they filed for the major mod and had been denied, the city was recommending we do that, actually the city has determined -- and again, you're going to see that they don't think this property is subject to the major modification provisions at all, but even if it

is, by reducing the density from 720 to 435 we fit within those numbers of Peccole Ranch, and the city will confirm that.

So consequently when you fit within those numbers, a major modification isn't required. That is why staff recommendation at the time of the planning commission was for a major modification.

When we got to the city counsel, there was no requirement of a major modification was part of the application we filed. So this application kind of should stand on its own, and on its own the major modification is not required or recommended.

Candidly, the city, as you well know, they throw recommendations out all the time.

We knew in our minds that this was not something that the law required or the code required, but we said we would do it with regard to the whole 250.

Now, I do want to address one thing.

I live in Queens Ridge. I'd like to tell you how sophisticated I am.

When I bought my home, I'm going to look at the CC & R's and do all that, but I just want to address very briefly the idea this was always intended to be a golf course because if it were

intended to be a golf course, it could have been and should have been protected in that right, it could have been zoned RE, could have been zoned U, could have been zoned something that evidenced it's not developable, but what the Peccoles did is, they painted that golf course with the RPD-7 brush, and then when they created the CC & R's, just to show that wasn't a mistake they put in their CC & R's that the golf course is not part of Queens Ridge, that the golf course cannot be annexed into Queens Ridge, and essentially anybody and everybody who bought into Queens Ridge was not buying any interest in that golf course.

And then, Your Honor, what they did was, if they bought a lot on the golf course, they made you sign an agreement, this is Peccoles, the people who tell you, we always wanted it to be golf course and all that, this is a quote, seller has made no representation or warranties concerning zoning or future development of phases of the planned community, or the surrounding area, or nearby property, close quotes.

And another quote, and in this purchase document purchaser shall not acquire any rights, privileges, interest, or membership in the Badlands

Golf Course by virtue of its purchase of the lot.

And then finally, perhaps most importantly, people on the golf course signed a document that said, the view may at present or in the future include, without limitation, include adjacent or nearby single-family homes, multi-family residential structures, commercial structures, utility facilities, and landscaping, and other items.

So everyone who bought into Queens Ridge, be it me by virtue of CC & R's, and those who have custom lots by virtue of the document they signed, knew that that golf course -- or should have known that golf course could be developed.

I agree with Your Honor absolutely that if in fact that major mod is a requirement, that that was not complied with, but it doesn't apply to the 17, and I can't emphasize that enough, it applies -- they wanted it applied when we were doing the whole thing, not the 17, and when we took it down here from 720 units to 435 units, and we fit within that, the city will tell you that clearly no major modification was required.

So we would respectfully ask that Your Honor consider those statements.

THE COURT: All right.

Thank you, Mr. Kaempfer.

Mr. Byrnes.

MR. BYRNES: Thank you, Your Honor.

The Court's essentially made a legal finding that a major modification is required under 19.10.040.

The one thing the Court hasn't done is, look at the code.

No matter what the staff says, city attorney, you have to look at the code first.

And when I was getting ready for this, I thought this was going to be an issue here, so I actually had a few visual aids prepared.

THE COURT: Just so you know, I did look at the code.

MR. BYRNES: Okay.

Then I want to point something out.

THE COURT: All right.

MR. BYRNES: When you look at the entire development

MR. BICE: What provision are we reading from?

MR. BYRNES: 19.10.040.

MR. BICE: Very good.

I got a copy right here.

MR. BYRNES: This is a zoning code.

If you look at the first line --

THE COURT: I can't read it.

MR. BYRNES: You can't read it?

THE COURT: No.

THE WITNESS: It's the planned development district.

This was a zoning classification. It applies to parcels that are zoned PD.

Now, the only place I could find in the code where you talk about major mods is 19.10.040(G). That is what everyone is talking about here.

If you read the first line, the development of property within the planned development district may proceed only in strict accordance with the approved master development plan.

This is not a planned development district.

Now, if you go look at the City's website where this section is, there's this map, they referred to this planned development district map.

If you click on it -- Would it help if I moved this up a little further?

THE COURT: Yeah.

MR. BYRNES: If you look on the map, here's the entire city, the pink areas show where the

planned development is.

Queens Ridge is down here, and there's two little pink areas, is the planned development district, these are the only planned development district in the Queens Ridge area.

Now, if you blow that up, you have this map --

THE COURT: Okay.

MR. BYRNES: -- the planned development district, this is the house, this is Renaissance across Rampart, this is the subject property never been classified as a planned development district.

THE COURT: Is it part of the Peccole Ranch Master Plan?

MR. BYRNES: Correct.

But the golf course is not a planned development district, it's RPD.

THE COURT: My question was, is the golf course part of the Peccole Ranch Master Plan?

MR. BYRNES: That's not an easy question.

It's part of the area that is the subject --

THE COURT: I read that the Badlands was part of Peccole Ranch II Master Plan, and then another golf course, I guess it was called Canyon

Gate or something, was part of the Peccole Ranch Number I Master Plan.

MR. BYRNES: Canyon Gate is another area down by Sahara --

THE COURT: I understand, but it was Peccole Ranch Number I, right?

MR. BYRNES: I believe that's correct.

THE COURT: And both of them were referenced in the documents as part of the master plan.

MR. BYRNES: Correct.

THE COURT: Okay.

THE WITNESS: My point is, the major modification requirement of 19.10.040 only applies the property that is zoned PD.

The subject property and the rest of the golf course is not.

THE COURT: Okay.

MR. KAEMPFER: Your Honor, if I might, Mr. Davis, who is in-house counsel, asked me to read a provision -- Actually, might Mr. Davis just explain this?

He's an attorney for the Seventy Acres.

THE COURT: Okay.

MR. DAVIS: Thank you, Your Honor.

Todd Davis, in-house counsel for Seventy Acres.

I just wanted to point out that if you look at the Peccole Ranch Conceptual Master Plan phase II from 1990, if you go to page 16, at the bottom of page 16 there's a couple sentence paragraph, it starts with, quality of development.

Design architecture and landscape standards will be established for the development.

A design review committee will review and approve all plans for parcel development of Peccole Ranch.

Covenants, conditions and restrictions will be established to guarantee the continued quality of development, and a master homeowners association will be established for the maintenance of common landscaping and open space.

Separate restrictions will be maintained to common area space within those areas.

My point is simply, anything that is in Queens Ridge common interest community where Chris lives is part of the master plan, but if it wasn't in the CC & R's, it never made it in.

THE COURT: Okay.

MR. DAVIS: It's a little bit of an

impossibility for us to put this property into his association.

THE COURT: Okay.

MR. BYRNES: Should I continue now?

THE COURT: Sure.

MR. BYRNES: What I wanted to emphasize is, again the develop of property within the planned development district, this is not within the planned development district, Subsection (D) doesn't apply to this property. This property is RPD, not PD.

You have to look at 19.10.050, the next -- ordinance next in order in that development area. That does contain provision plan amendments approvals conditions.

Amendments to an approved site development plan review shall be reviewed and approved pursuant to LVMC 19.16.1.008, that is site development plans.

The a approving body may attach the amendment to an approved site development plan area and so on.

You go through site development, the PD, and you go through major mods through PD.

And in this case the city council did say it was approved.

The Court's entire finding is based upon

the premise that the major mod under 19.10.040 applies to this property, and it doesn't.

This is based on site development review, which is proper, and it's also --

THE COURT: Was the staff unfamiliar with that?

MR. BYRNES: I don't know what the staff is trying to do, but the code --

THE COURT: Aren't the staff members making recommendations, aren't they long-term professionals who make recommendations for the planning commission and city council to rely upon?

MR. BYRNES: They make representations.

The city council is never bound by staff, and staff makes mistakes, but the code is clear.

THE COURT: I'm sure the city council can make mistakes too, we all can.

MR. BYRNES: Lawyers make mistakes too.

THE COURT: So do Judges.

MR. BYRNES: But you have to remember the limited review we have here.

THE COURT: I don't know, this thing went on for well over a year.

MR. BYRNES: The Court's function --

THE COURT: Yes, counsel provided me with

documentation, so I could at least see the black and white results of that review and what the recommendations were.

MR. BYRNES: Correct, Your Honor.

But your role here is to look at the record and say, is there something in here that supports what city council did, you can't re-weigh the evidence, and with all due respect you can't substitute your judgment for what you think the council should have done.

THE COURT: Well, I'm not.

I tried to make that clear at the beginning that my determination is a purely legal one, that I think that LVMC 19.10.040 and the staff's recommendation, and the fact that the applicant applied for a major modification, all indicate that everybody knew a major modification was necessary.

Then somewhere -- Which means city council had to do that.

City council didn't do that, so they abused their discretion.

The fact that they went on down the road and started retreating from the city code and from staff's recommendations, I don't think that that is self-serving evidence to kind of bolster their

decision warrants upholding it.

I'm not re-weighing the evidence though in terms of whether there is substantial evidence to support.

My determination is a purely legal one.

MR. BYRNES: But your determination is based completely on a finding that Subsection (D) of 19.10.040 applies to this property.

THE COURT: Yes.

MR. BYRNES: It's based on the limited expressed language development of property within the plan development district is subject to that provision.

THE COURT: I understand your point, I just disagree.

MR. BYRNES: This is not within a planned development district.

THE COURT: I understand your point, but I disagree.

MR. BYRNES: I mean, if you have questions about the findings here, then I believe your only recourse would be to remand this to city council for further findings about the application of this order.

THE COURT: No, the Court's entitled to interpret the city code and whether or not it's been

complied with, and my interpretation is, the city code required major modifications, and city council didn't make a major modification.

MR. BYRNES: If you like, at the Cimarron Hills case it's clear that the City's interpretation of its own code is entitled to deference, unless it's a manifested abuse of discretion.

THE COURT: Right.

MR. BYRNES: Here if you look at the further cases, you have to defer to the City's interpretation of its own law if it's within the expressed terms of the ordinance.

I have just shown the expressed terms of the ordinance, this doesn't apply.

THE COURT: You have showed me your perspective and your view that the expressed terms of the ordinance doesn't apply, and I understand what you're saying, but I disagree.

MR. BICE: Your Honor, I'd like to just be heard.

THE COURT: Hold on.

I want to make sure Mr. Byrnes is finished.

Everybody will get a chance to address this.

MR. BYRNES: I have said my piece.

I respectfully disagree with the Court, and we'll deal with this down the road, I guess.

THE COURT: Thank you.

Mr. Kaempfer.

Mr. Kaempfer: One more quick COMMENT.

I've been asked to put on the record as well that the Peccole Ranch Master Plan had expired, and that has been before, I just wanted the record to note that's our position that it was expired, and that's why in 2001 the ordinance what was adopted reaffirmed all of the property from you went back to U for PD-7.

So thank you, Your Honor.

THE COURT: You say U. You are referring to the capital letter U?

MR. KAEMPFER: The U, meaning undeveloped.

THE COURT: Right.

THE COURT: Mr. Bice.

MR. BICE: Briefly, Your Honor.

I've known Mr. Byrnes a long time, and I respect Mr. Byrnes, but this argument that is a hyper-technical argument he's now come up with, with all due respect to him, and the city attorneys office they know full well why staff says that provision applies, and said for years it applies, because RPD,

Your Honor, they don't use that anymore.

The RPD criteria that they were using in the past has been eliminated in favor of PD, so to come into court and say he doesn't know why the city staff is applying this criteria to Queens Ridge is with all due respect to Mr. Byrnes that is just not right, he knows full well why staff was applying that provision, because staff has always applied that to -- for PD because RPD doesn't exist anymore, the code had been amended, and it's now called PD. There's no RPD designation going forward in the city.

Let me tell you about Mr. Kaempfer's argument because it's just not -- just not right.

He claims to you that the only reason that they submitted this major modification was, it was in conjunction with the broader development, that's not true.

The original application --

THE COURT: Is that from the 180 code?

MR. BICE: Yes, that was a later application.

The original application was for Seventy Acres LLC, and this is the staff's report from January of 2016, for the record to be clear that is record 17,362 through 17,377 what staff repeatedly

said, repeatedly told them on the Seventy Acres, you must submit a major modification, had nothing to do with the 250, you must submit a major modification because it's a master planned community, and by the way under the City's general plan, this is right out of page 26 of the general plan, the following master development plan areas are located within the southwest sector. Then it goes on to list, and we put this in the brief --

THE COURT: Yes, you told me that.

MR. BICE: All of them, if the city were right on this, Your Honor, all of these master planned communities would be vulnerable to a developer just wiping them out without any modifications to the existing plan. That is not what the code contemplated, and that is why the staff from day one pointed out you must obtain a major modification, because this is covered by the Peccole Ranch Master Plan.

And what the developer did in response to the staff, this is clear back in January of '16, the developer then submitted a major modification, in addition to submitting other applications, and that major modification went by number MOD-63600, that process was going forward.

THE COURT: It's MOD-1600, right?

MR. BICE: MOD-63600.

What was really happening here is, as they were moving forward they realized they were not going to get the votes on that major modification, they can count heads, they just like weren't going to get the approval from the planning commission for it, so that is when they withdrew it.

That major modification was exactly what the city required clear was in 2016, and then they withdrew it, took the position we can can go forward now without a major modification.

But ironically even the staff knew that was wrong after the planning commission meeting because on November 16 of 2016, this is for the record at record 2421 through 2438, staff again repeatedly emphasizes, this is after the planning commission meeting and after the withdrawal, Your Honor, they point out you must have a major modification, and in fact you can't proceed without a major modification for the general planning amendment.

And in fact, Your Honor, I'd point out for the Court on the last page of that staff report there's master planned areas on the graph, right beneath it is Peccole Ranch, and if you go to the

right of that, there's a list of whether or not it's in compliance, and the staff puts N for no because the staff's acknowledging it is not in compliance.

That is why, Your Honor, the statute requires a major modification by it's expressed terms, and I'll find the language here.

THE COURT: Well, in the Exhibit 1 the City Of Las Vegas provided they referenced actually excerpts of Exhibit 1, which they referred to as Exhibits 33 and 35, but I went back and looked at the entirety of Exhibit 1, which included Exhibit 33 and 35, that there were some pages from it, and that is the staff report to the February 15th, 2017 council meeting, which is even after the November 16th, 2016 you are talking about --

MR. BICE: Correct.

THE COURT: -- and it says, the proposed development -- This is on record page 11,240, at the bottom it says, the proposed development requires a major modification of the Peccole Ranch Master Plan.

It says on page 11,241, the department of planning has determined that any proposed development not in conformance with the approved 1990 Peccole Ranch Master Plan would be required to pursue a major modification of the plan prior to or concurrently

with any new entitlement.

It goes on to say, in order for this site development plan review request to be approved, the 1990 Peccole Ranch Master Plan land use designation over this site must be amended from golf course drainage to multi-family.

And then on page 11,242 still talking about that same staff report at page 3, it says that section 19.16.030 (1) of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a general plan amendment, and it is that the Peccole Ranch Master Plan must be modified prior to approval of proposed general plan amendment, and the applicant has submitted a second general plan amendment that would be compatible with the proposed high-density residential land use if the major modifications approved.

That is from record 11,243.

There are additional things that they say are conditions and requirements in that report.

They also say on page 11,243, item number 4, the proposed general plan amendment does not conform to the 1990 Peccole Ranch Master Plan, which designates the site for golf course drainage land uses.

So there's no question that the staff recommendation all along has been that it requires a major modification.

MR. BICE: Exactly, Your Honor.

I don't need to take up anymore of your time.

I wanted to respond.

THE COURT: Don't worry about my time.

We're here to deal with this.

MR. BICE: Mr. Kaempfer's final point where he's arguing something, by the way no one in the city has bought this argument, but I guess he's asking you to accept it, is that because they reduced the density on the 17 acres, they somehow now have made it fit within the pre-existing amount of density allowed for the site, and that somehow means it takes it outside of the major modification requirements.

Again, I'll make two points why that is wrong.

Number one, under the terms of the statute about a major modification, and as the staff recited, it required a major modification. It doesn't matter whether or not they reduced the number of units for formally on the master plan the city approved, and this is for the record page 18 of the master plan for

the density, that Mr. Kaempfer is claiming was pre-approved is only for the 461 acres and excludes the golf course because the golf course was specifically carved out with having no density whatsoever.

THE COURT: Under 461, was 250 and 211, correct?

MR. BICE: No, Your Honor, that 211 was the original golf course.

They later added more golf course to it, and it grew to 250.

The 401 and the 60 are where the houses are at today, which is what they had approved the housing.

What the Peccoles ultimately did, even though they got a total of 4247 units approved, they ultimately didn't build them all because what they did was ended up creating larger premium lots because they recognized they could actually make more money that way, and then they sold these larger premium lots, as opposed to building more homes.

So the land for which development was approved by the City Of Las Vegas has already been developed, and that is why the staff correctly said from day one, if you're going to try and change,

because the city designated this PROS under its plan, it's specifically marked on the City's maps when this purchaser bought this land, he knew full well what it was designated because all you go down and do is at look at the City's maps of the master plan, and it's all designated in green with the letters PROS across it, that's why the staff said, if you're going to try and now eliminate that designation and put houses on that property, it would require a major modification to the Peccole Ranch Master Plan.

I thank the Court for its time.

THE COURT: All right.

MR. KAEMPFER: Your Honor, I appreciate your time, and I know you want to get to the truth of this thing.

The City's never taken that position -- Bradley Jerbic's taken that position about the 435 being within the allowable density, so that isn't something I made up.

Secondly, there's actually no density that is currently authorized for the land that is in question here, the 17.49 acres.

I mean, there's a little dash there indicating that at that point in time they were not allocating anything for that.

I would agree with Your Honor's assessment of it.

I will roll over and play dead if you can show me that on the final staff approval relating to the 17 acres in front of city council it says staff recommendation of approval says, file a major mod.

Staff puts conditions of approval on all of their applications.

They talked about it, a major mod, they have always talked about that, but when it came down to it, when we went from the 720 to the 435, and when we went in front of that city council, there was no recommendation of filing a major mod with conditions relating to SDR-62393, said approval of the general plan amendment approval of shall be void two years, development in conformance with the site plan necessary building permits, but no requirement on the final SDR, which is what she's showing me it is, what I represented to the Court on 050.005.990 where it was part of the site development review approval of a major mod. That is on July 12th of 2016.

Then later on that condition is removed, and I can only suggest, Your Honor, it was removed because reduction in the number of units, the change in not doing the whole plan, but doing just the 17

acres.

So staff talks about a major mod, but when it comes down, are they recommending a major mod, insisting it as a zoning approval?

The answer is, no.

THE COURT: Understand the code requires it.

What I was pointing to was the fact that my interpretation of the law saying that it's required, I find corroboration in the fact that staff recommended to, and the applicant applied for, major modification.

MR. KAEMPFER: Your Honor, so we're clear, Your Honor's point is, a major modification is required under the code?

THE COURT: Yes.

MR. KAEMPFER: All right.

I would like also finally to make one other point.

This master plan was never recorded.

The other communities you're talking about have recorded master plans.

The only thing that was recorded against ours are the CC & R's, so I just wanted that for the record.

Thank you.

THE COURT: Mr. Bice, anything further?

MR. BICE: No, Your Honor.

Well --

MR. BYRNES: May I say one thing, Your Honor?

THE COURT: Okay.

Mr. Byrnes.

MR. BYRNES: Mr. Bice mentioned before that the reason this 19.10.040 applies to this property, although it's not a planned development district is because we don't use the RPD zoning class anymore.

I read the ordinance to you, and I want to emphasize, if you go to the next ordinance in the code, 19.10.050, that is the ultimate RPD, we don't allow new development under PPD, but we have rules what we do with existing RPD developments, which this is.

THE COURT: Was this a new development?

MR. BYRNES: No, it's already RPD, been RPD since 1990 or so.

THE COURT: Okay.

MR. BYRNES: It says --

THE COURT: I mean, the application.

MR. BYRNES: They actually rezoned it for

out of RPD when we did this.

But it says when -- if you have existing RPD zoning, you want to change where it's happening, you do it through site development review, which is precisely what happened here.

I think the Court needs to look at 19.10.040 and 19.10.050 as you will see the major modification requirement doesn't apply here, this is done under site development comparing apples and oranges.

THE COURT: All right.

Anything else?

MR. BICE: I would defy that, Your Honor, but I think we've taken up enough of your time.

THE COURT: Okay.

So my ruling is, that the city council abused its discretion, violated the law, the Las Vegas Municipal Code Title 19 by not first dealing with the major modification on this application.

And the question regarding whether or not there's substantial evidence to support it, I don't really reach because in review of the information that was provided to me there is a great deal of opposition evidence that was presented.

I referenced some of it by naming the

people by name whose remarks I read, but there was also a person named Garcia, there were many people whose remarks I read, and it was clear to me they were there, not there speaking in favor of the application, they were speaking most strikingly against this, and so the city when they reference substantial evidence that is consisting of staff recommendations for approval, they are blowing hot and cold at the same time staff recommendations were to the major modification was required, so I don't think the city can suggest or infer that there was substantial evidence to support its decision simply by saying that there were 23,000 pages of information, it just doesn't tell the story.

So, Mr. Bice, I'm going to ask you to prepare the order, circulate it to opposing counsel as to approval as to form and content.

I realize you will want the transcript.

MR. BICE: Yes, I will.

That's true.

THE COURT: So I'd like you to submit to council for the city and Seventy Acres a draft for their review within two weeks after you receive the transcript from the Court Reporter.

MR. BICE: We will do that, Your Honor.

THE COURT: All right.

MR. BICE: I'm going to get out a business card to hand to the Court Reporter right now.

THE COURT: Anything further before we adjourn on this matter?

MR. BICE: No.

Thank you, Your Honor.

MR. KAEMPFER: Obviously we thank you for your time.

MR. BYRNES: Yes, Your Honor, thank you.

MR. HOLMES: Thank you, Your Honor.

THE COURT: All right.

(Proceedings concluded.)

REPORTER'S CERTIFICATE

I, Bill Nelson, a Certified Court Reporter in and for the State of Nevada, hereby certify that pursuant to NRS 2398.030 I have not included the Social Security number of any person within this document.

I further Certify that I am not a relative or employee of any party involved in said action, not a person financially interested in said action.

/s/ Bill Nelson

Bill Nelson, RMR, CCR 191

C E R T I F I C A T E

STATE OF NEVADA)
) ss.
CLARK COUNTY)

I, Bill Nelson, RMR, CCR 191, do hereby certify that I reported the foregoing proceedings; that the same is true and correct as reflected by my original machine shorthand notes taken at said time and place.

/s/ Bill Nelson

Bill Nelson, RMR, CCR 191
Certified Court Reporter
Las Vegas, Nevada

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DISTRICT COURT

CLARK COUNTY, NEVADA

JACK B. BINION, an individual; DUNCAN R. and IRENE LEE, individuals and Trustees of the LEE FAMILY TRUST; FRANK A. SCHRECK, an individual; TURNER INVESTMENTS, LTD., a Nevada Limited Liability Company; ROGER P. and CAROLYN G. WAGNER, individuals and Trustees of the WAGNER FAMILY TRUST; BETTY ENGLESTAD AS TRUSTEE OF THE BETTY ENGLESTAD TRUST; PYRAMID LAKE HOLDINGS, LLC.; JASON AND SHEREEN AWAD AS TRUSTEES OF THE AWAD ASSET PROTECTION TRUST; THOMAS LOVE AS TRUSTEE OF THE ZENA TRUST; STEVE AND KAREN THOMAS AS TRUSTEES OF THE STEVE AND KAREN THOMAS TRUST; SUSAN SULLIVAN AS TRUSTEE OF THE KENNETH J. SULLIVAN FAMILY TRUST, AND DR. GREGORY BIGLER AND SALLY BIGLER,

Plaintiffs,

v.

THE CITY OF LAS VEGAS; and SEVENTY ACRES, LLC, a Nevada Limited Liability Company,

Defendants.

Case No.: A-17-752344-J

Dept. No.: XXIV

NOTICE OF ENTRY OF ORDER

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Case Number: A-17-752344-J

PLEASE TAKE NOTICE that an "Order Granting Plaintiffs' Petition for Judicial Review" was entered in the above-captioned matter on March 5, 2018, a true and correct copy of which is attached hereto.

DATED this 6th day of March, 2018.

PISANELLI BICE

By: /s/ Dustun H. Holmes
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PISANELLI BICE PLLC, and that on this 6th day of March, 2018, I caused to be served via the Court's E-Filing system true and correct copies of the above and foregoing **NOTICE OF ENTRY OF ORDER** to the following:

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Attorneys for Seventy Acres, LLC

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/s/ Shannon Dinkel
An employee of PISANELLI BICE PLLC

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Plaintiffs,

v.

THE CITY OF LAS VEGAS; and SEVENTY ACRES, LLC, a Nevada Limited Liability Company,

Defendants.

Case No.: A-17-752344-J

Dept. No.: XXIV

ORDER GRANTING PLAINTIFFS' PETITION FOR JUDICIAL REVIEW

☐ Voluntary Dismissal	☒ Summary Judgment
☐ Involuntary Dismissal	☐ Stipulated Judgment
☐ Stipulated Dismissal	☐ Default Judgment
☐ Motion to Dismiss by Deft(s)	☐ Judgment of Arbitration

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On January 11, 2018, Plaintiffs'[1] Petition for Judicial Review came before the Court for a hearing. Todd L. Bice, Esq. and Dustun H. Holmes, Esq. of the law firm PISANELLI BICE PLLC appeared on behalf of Plaintiffs, Christopher Kaempfer, Esq., James Smyth, Esq., Stephanie Allen, Esq appeared on behalf of Defendant Seventy Acres, LLC ("Seventy Acres"), and Philip T. Byrnes, Esq., with the LAS VEGAS CITY ATTORNEY'S OFFICE appeared on behalf of the Defendant City of Las Vegas ("City").The Court, having reviewed Plaintiffs' Memorandum in Support of the Petition for Judicial Review, the City's Answering Brief, Seventy Acres' Opposition Brief, Plaintiffs' Reply Brief, the Record for Review, and considered the matter and being fully advised, and good cause appearing makes the following findings of fact and conclusions of law:

FINDINGS OF FACT AND CONCLUSIONS OF LAW[2]

A. FINDINGS OF FACT

1. Plaintiffs challenge the City's actions and the final decision entered on February 16, 2017 regarding the approval of Seventy Acres' applications GPA-62387 for a General Plan Amendment from parks/recreation/open space (PR-OS) to medium density (M), ZON-62392 for rezoning from residential planned development – 7 units per acre (R-PD7) to medium density residential (R-3), and SDR-62393 site development plan related to GPA-62387 and ZON-62392 (collectively the "Applications") on 17.49 acres at the southwest corner of Alta Drive and

[1] Jack B. Binion, Duncan R. and Irene Lee, individuals and trustees of the Lee Family Trust, Frank A. Schreck, Turner Investments, LTD, Rover P. and Carolyn G. Wagner, individuals and trustees of the Wagner Family Trust, Betty Englestad as trustee of the Betty Englestad Trust, Pyramid Lake Holdings, LLC, Jason and Shereen Awad as trustees of the Awad Asset Protection Trust, Thomas Love as trustee of the Zena Trust, Steve and Karen Thomas as trustees of the Steve and Karen Thomas Trust, Susan Sullivan as trustee of the Kenneth J. Sullivan Family Trust, and Dr. Gregory Bigler and Sally Bigler

[2] Any findings of fact which are more properly considered conclusions of law shall be treated as such, and any conclusions of law which are more properly considered findings of fact shall be treated as such.

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Rampart Boulevard, more particularly described as Assessor's Parcel Number 138-32-301-005 (the "Property").[3]

2. The Property at issue in the Applications is a portion of land which was previously known as Badlands Golf Course and is part of the Peccole Ranch Master Plan.

3. In 1986, the William Peccole Family presented their initial Master Planned Development under the name Venetian Foothills to the City ("Peccole Ranch"). ROR002620-2639.

4. The original Master Plan contemplated two 18-hole golf courses, which would become known as Canyon Gate in Phase I of Peccole Ranch and Badlands in Phase II of Peccole Ranch. Both golf courses were designed to be in a major flood zone and were designated as flood drainage and open space. ROR002634. The City mandated these designations so as to address the natural flood problem and the open space necessary for master plan development. ROR002595—2604.

5. The William Peccole Family developed the area from W. Sahara north to W. Charleston Blvd. within the boundaries of Hualapai Way on the west and Durango Dr. on the east ("Phase I"). In 1989, the Peccole family submitted what was known as the Peccole Ranch Master Plan, which was principally focused on what was then commonly known as Phase I.

6. In 1990 the William Peccole Family presented their Phase II Master Plan under the name Peccole Ranch Master Plan Phase II (the "Phase II Master Plan") and it encompassed the land located from W Charleston Blvd. north to Alta Dr. west to Hualapai Way and east to Durango Dr. ("Phase II"). Queensridge was included as part of this plan and covered W.

[3] The Applications as originally submitted were for a General Plan Amendment from parks/recreation/open space (PR-OS) to high density residential (H), for rezoning from residential planned development – 7 units per acre (R-PD7) to high density residential (R-4). At the February 15, 2017 City Council meeting, Seventy Acres indicated that it was amending its Applications from 720 units on the Property to 435 units. The corresponding effect was an amendment to its General Plan Amendment from PR-OS to medium density (M) and rezoning from R-PD7 to medium density residential (R-3).

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Charleston Blvd. north to Alta Dr., west to Hualapai Way and east to Rampart Blvd. ROR002641-2670.

7. Phase II of the Peccole Ranch Master Plan was approved by the City Council of the City of Las Vegas on April 4, 1990 in Case No. Z-17-90. ROR007612, ROR007702-7704. The Phase II Master Plan specifically defined the Badlands 18 hole Golf Course as flood drainage/golf course in addition to satisfying the required open space necessitated by the City for Master Planned Development. ROR002658-2660.

8. The Phase II golf course open space designation was for 211.6 acres and specifically was presented as zero net density and zero net units. (ROR002666). The William Peccole Family knew that residential development would not be feasible in the flood zone, but as a golf course could be used to enhance the value of the surrounding residential lots. As the Master Plan for Phase II submitted to the City outlines:

> A focal point of Peccole Ranch Phase Two is the 199.8 acre golf course and open space drainage way system which traverses the site along the natural wash system. All residential parcels within Phase Two, except one, have exposure to the golf course and open space areas . . . The close proximity to Angel Park along with the extensive golf course and open space network were determining factors in the decision not to integrate a public park in the proposed Plan."

ROR002658-2660.

9. The Phase II Master Plan amplifies that it is a planned development, incorporating a multitude of permitted land uses as well as special emphasis the open space and:

> Incorporates office, neighborhood commercial, a nursing home, and a mixed-use village center around a strong residential base in a cohesive manner. A destination resort-casino, commercial/office and commercial center have been proposed in the most northern portion of the project area. Special attention has been given to the compatibility of neighboring uses for smooth transitioning, circulation patterns, convenience and aesthetics. An extensive 253 acre golf course and linear open space system winding throughout the community provides a positive focal point while creating a mechanism to handle drainage flows.

ROR00264-2669.

10. As the Plan for Phase II outlined, there would be up to 2,807 single-family residential units on 401 acres, 1,440 multi-family units on 60 acres and open space/golf

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course/drainage on approximately 211 acres. ROR002666-2667. For the single-family units which would border the proposed golf course/open space, the zoning sought was for R-PD7, which equates to a maximum of seven (7) single-family units per acre on average. ROR002666-2667. Such a zoning approval for a planned development like Peccole Ranch Phase II and its proposed golf course/open space/drainage is common as confirmed by the City's own code at the time because R-PD zoning category was specifically designed to encourage and facilitate the extensive use of open space within a planned development, such as that being proposed by the Peccole Family. ROR02716-2717.

11. Both the Planning Commission and the City Council approved this 1990 Amendment for the Phase II Plan (the "Plan"). ROR007612, ROR007702-7704.

12. The City confirmed the Phase II Plan in subsequent amendments and re-adoption of its own General Plan, both in 1992 and again in 1999. ROR002735-2736.

13. On the maps of the City's General Plan, the land for the golf course/open space/drainage is expressly designated as PR-OS, meaning Parks/Recreation/Open Space. ROR002735-2736. There are no residential units permitted in an area designated as PR-OS.

14. The City's 2020 Master Plan specifically lists Peccole Ranch as a Master Development Plan in the Southwest Sector.

15. In early 2015, the land was acquired by a developer and as a representative of the developer, Yohan Lowie, would testify at the November 16, 2016 City Council meeting that before purchasing the property he had conversations with the City Council members from which he inferred that he would be able to secure approvals to redevelop the golf course/open space of this master planned community with housing units. ROR001327-1328; ROR007364-7365. The purchaser elected to take on the risk of acquiring the property and did not provide for typical contingencies, such as a condition of land use approvals prior to closing.

16. Instead, it was after acquiring the land that one of the developer's entities, Seventy Acres, filed the Applications with the City in November 2015.

17. When the Applications were initially submitted they were set to be heard in front of the City's Planning Commission on January 12, 2016. ROR017362-17377. The Staff Report

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prepared in advance of this meeting states that the City's Planning Department had no recommendation at the time because the City's code required an application for a major modification of the Peccole Ranch Master Plan prior to the approval of the Applications. ROR017365. Specifically, the Staff Report states:

> The site is part of the Peccole Ranch Master Plan. The appropriate avenue for considering any amendment to the Peccole Ranch Master Plan is through the Major Modification process as outline in Title 19.10.040. As this request has not been submitted, staff recommends that the [Applications] be held in abeyance has no recommendation on these items at the time.
> (*Id.*)

18. Indeed, a critical issue noted by the City pertaining to the Applications was that "[t]he proposed development requires a Major Modification of the Peccole Ranch Master Plan, specifically the Phase Two area as established by Z-0017-90. As such, staff is recommending that these items be held in abeyance." (*Id.*)

19. Following staff's recommendation, the Applications were held over to the March 8, 2016 Planning Commission meeting.

20. Again, the Staff Report prepared in advance of the meeting states, "[t]he site is part of the Peccole Ranch Master Plan. The appropriate avenue for considering any amendment to the Peccole Ranch Master Plan is through the Major Modification process as outline in Title 19.10.040." ROR017445-17538. As no Major Modification had been submitted the City's staff had no recommendation on the Applications at the time. *Id.*

21. As a result, the Applications were held over to the April 12, 2016 Planning Commission meeting.

22. Consistent with the City's requirements, the developer subsequently filed an application MOD-63600 for a Major Modification of the Peccole Ranch Master Plan to amend the number of allowable units, to change the land use designation of parcel, and to provide standards for redevelopment.

23. As the Staff Report prepared in advance of an April 12, 2016 Planning Commission meeting states, "[p]ursuant to 19.10.040, a request has been submitted for a modification to the Peccole Ranch Master Plan to authorize removal of the golf course, change

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the designated land uses on those parcels to single family and multi-family residential and allow for additional residential units." ROR017550-17566.

24. The Staff Report goes on to state that "[i]t is the determination of the Department of Planning that any proposed development not in conformance with the approved Peccole Ranch Master Plan would be required to pursue a Major Modification of the Plan prior to or concurrently with any new entitlements. *Id.* Such an application (MOD-63600) was filed with the City of Las Vegas on 02/25/16 along with a Development Agreement (DIR-63602) for redevelopment of the golf course parcels." *Id.*

25. As the Staff Report indicates, "[a]n additional set of applications were submitted concurrently with the Major Modification that apply to the whole of the 250.92-acre golf course property." These applications were submitted by entities – 180 Land Co LLC and Fore Stars, Ltd-controlled and related to the developer submitting the Applications at issue here. *Id.*

26. As with the previous Staff Reports, the Staff emphasized that "[t]he proposed development requires a Major Modification of the Peccole Ranch Master Plan, specifically the Phase Two area as established by Z-0017-90." *Id.* However, the City's Staff was now recommending the Applications be held in abeyance as additional time was needed for "review of the Major Modification and related development agreement." *Id.*

27. Over the next several months the Applications were held in abeyance at the request of Seventy Acres and/or the City. Specifically, the Staff Reports prepared in advance of every meeting continuously noted that approval of the Applications was dependent upon an approval of a Major Modification of the Peccole Ranch Master Plan.

28. For example, the May 10, 2016 Staff Report provides "[t]he proposed development requires a Major Modification (MOD-6300) of the Peccole Ranch Master Plan, specifically the Phase Two area as established by Z-0017-90." ROR018033-18150. The Staff findings likewise provide the Applications "would result in the modification of the Peccole Ranch Master Plan. Without the approval of a Major Modification to said plan, no finding can be reached at this time." *Id.*

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29. In the July 12, 2016 Staff Report, staff states "[t]he Peccole Ranch Master Plan must be modified to change the land use designations from Golf Course/Drainage to Multi-Family Residential and Single Family Residential prior to approval of the proposed" Applications. ROR018732-18749. ROR0198882-

30. Less than two months later, in an August 9, 2016 Staff Report, the City's Staff reiterated that "[t]he proposed development requires a Major Modification (MOD-6300) of the Peccole Ranch Master Plan, specifically the Phase Two area as established by Z-0017-90." ROR0198882-19895.

31. Ultimately, the Applications came before a special Planning Commission meeting on October 18, 2016. ROR000725-870. The Applications were heard along with other applications from the developer, including application for a Major Modification of the Peccole Ranch Master Plan. (MOD-63600).

32. The City's Planning Commission denied all other applications, including MOD-63600, except for the Applications at issue in this case by a five-to-two margin. ROR00865-870. In other words, the Planning Commission approved certain applications notwithstanding that it had expressly denied the Major Modification (MOD-63600) that the City's Staff recognized as a required prerequisite to any applications moving forward.

33. The Applications, along with all other applications from the developer, were then scheduled to be heard in front of the City Council on November 16, 2016.

34. Prior to the City Council Meeting the developer requested that the City permit it to withdraw without prejudice all other applications, including the Major Modification (MOD-63600), leaving the Applications at issue relating to the 720 multifamily residential buildings on 17.49 acres located on Alta/Rampart southwest corner. ROR001081-1135.

35. But again, the City's Staff Report prepared in advance of the City Council meeting confirmed that one of the conditions for approving these Applications was that there be a Major Modification of the Peccole Ranch Master Plan. ROR002421-2441. As the City's staff explains, the Applications "are dependent on action taken on the Major Modification and the related Development Agreement between the application and the City for the development of the golf

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course property." ROR002425. This point is reiterated in the report that "[t]he proposed development requires a Major Modification (MOD-63600) of the Peccole Ranch Master Plan." (*Id.*).

36. Yet, as the City's Staff Report confirms, the developer had submitted no request for a Major Modification to the 1990 Peccole Ranch Master Development Plan Phase II to authorize modification for the 17.49 acres of golf course/drainage/open space land use to change the designated land uses, and increase in net units, density, and maximum units per acre. Rather, the application for a Major Modification was submitted on February 25, 2016, relating to the entirety of the Badlands Golf Course, along with an application for a development agreement, and the developer had now withdrawn any request for a major modification.

37. The City Council voted to hold the matter in abeyance. ROR001342.

38. Subsequently, the Applications came back before the City Council on February 15, 2017.

39. The Staff Report again provided that "[p]ursuant to Title 19.10.040, a request has been submitted for a Modification to the 1990 Peccole Ranch Master Plan to authorize removal of the golf course, change the designated land uses on those parcels to single-family and multi-family residential and allow for additional residential units." The City's Staff maintained that Applications "are dependent on action taken on the Major Modification," and that the "the proposed development requires a Major Modification (MOD-63600) of the Peccole Ranch Master Plan." ROR011240.

40. There is no question that the City's own Staff had long recognized that these Applications were dependent upon a Major Modification of the Peccole Ranch Master Plan.

41. At the February 15, 2017 City Council meeting, Seventy Acres announced that it was amending its Applications by reducing the units from 720 to 435 units on 17.49 acres located on Alta/Rampart southwest corner. ROR017237-17358. The corresponding effect was an amendment to its application for a general plan amendment PR-OS to medium density, application for rezoning from R-PD7 to medium density residential, and application for SDR-62393 site development plan subject to certain conditions. *Id.*

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42. Despite no Major Modification as the City had long recognized as required, the City Council by a four-to-three vote proceeded anyway and approved the Applications.

43. On or about February 16, 2017, a Notice of Final Action was issued.

44. On March 10, 2017, Plaintiffs timely filed this Petition seeking judicial review of the City's decision.

B. CONCLUSIONS OF LAW

1. The City's decision to approve the Applications is reviewed by the district court for abuse of discretion. *Stratosphere Gaming Corp. v. City of Las Vegas*, 120 Nev. 523, 528, 96 P.3d 756, 760 (2004). "A decision that lacks support in the form of substantial evidence is arbitrary or capricious, and thus an abuse of discretion that warrants reversal." *Tighe v. Las Vegas Metro. Police Dep't*, 110 Nev. 632, 634, 877 P.2d 1032, 1034 (1994). Substantial evidence is evidence that "a reasonable mind might accept as adequate to support a conclusion." *Id.* Yet, on issue of law, the district court conducts an independent review with no deference to the agency's determination. *Maxwell v. State Indus. Ins. Sys.*, 109 Nev. 327, 329, 849 P.2d 267, 269 (1993).

2. Although the City's interpretation of its land use laws is cloaked with a presumption of validity absent manifest abuse of discretion, questions of law, including Municipal Codes, are ultimately for the Court's determination. *See Boulder City v. Cinnamon Hills Assocs.*, 110 Nev. 238, 247, 871 P.2d 320, 326 (1994); *City of N. Las Vegas v. Eighth Judicial Dist. Court ex rel. Cty. of Clark*, 122 Nev. 1197, 1208, 147 P.3d 1109, 1116 (2006).

3. Here, while the City says that this Court should defer to its interpretation, the Court must note that what the City is now claiming as its interpretation of its own Code appears to have been developed purely as a litigation strategy. Before the homeowners filed this suit, the City and its Planning Director had consistently interpreted the Code as requiring a major modification as a precondition for any application to change the terms of the Peccole Ranch Master Plan. Indeed, it was not until oral argument on this Petition for Judicial Review that the City Attorneys' office suggested that the terms of LVMC 19.10.040(G) only applied to property that is technically zoned for "Planned Development" as opposed to property that is zoned R-PD which is "Residential-Planned Development." This position is completely at odds with the City's

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own longstanding interpretation of its own Code and that its own Director of Development had long determined that a major modification was required and that the terms of LVMC 19.10.040(G) applied here. Respectfully, interpretations that are developed by legal counsel, as part of a litigation strategy, are not entitled to any form of deference by the judiciary. *See Christopher v. SmithKline Beecham Corp.*, 567 U.S. 142, 155, 132 S. Ct. 2156, 2166, 183 L. Ed. 2d 153 (2012)(no deference is provided when the agency's interpretation is nothing more than a "convenient litigating position."). What is most revealing is the City's interpretation of its own Code before it felt compelled to adopt a different interpretation as a defense strategy to this litigation.

4. The Court finds the City's pre-litigation interpretation and enforcement of its own Code – that a major modification to the Peccole Ranch Master Plan is required to proceed with these Applications – to be highly revealing and consistent with the Code's actual terms.

5. LVMC 19.10.040(G) is entitled "Modification of Master Development Plan and Development Standards." It provides, in relevant part, that:

> The development of property within the Planned Development District may proceed only in strict accordance with the approved Master Development Plan and Development Standards. Any request by or on behalf of the property owner, or any proposal by the City, to modify the approved Master Development Plan or Development Standards shall be filed with the Department. In accordance with Paragraphs (1) and (2) of this Subsection, the Director shall determine if the proposed modification is "minor" or "major," and the request or proposal shall be processed accordingly.

See LVMC 19.10.040(G).

6. Accordingly, under the Code, "[a]ny request by or on behalf of the property owner, or any proposal by the City, to modify the approved Master Development Plan or Development Standards shall be filed with the Department." LVMC 19.10.040(G). It is the City's Planning Department who "shall determine if the proposed modification is minor or major, and the request or proposal shall be processed accordingly." *Id.*

7. There is no dispute that the Peccole Ranch Master Plan is a Master Development Plan recognized by the City and listed in the City's 2020 Master Plan accordingly.

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8. Likewise, there is no dispute that throughout the application process, the City's Planning Department continually emphasized that approval of the Applications was dependent upon approval of a major modification of the Peccole Ranch Master Plan. For example, the record contains the following representations from the City:

- "The site is part of the 1,569-acre Peccole Ranch Master Plan. Pursuant to Title 19.10.040, a request has been submitted for a Modification to the 1990 Peccole Ranch Master Plan to authorize removal of the golf course, change the designated land uses on those parcels to single family and multi-family residential and allow for additional residential units."
- "The site is part of the Peccole Ranch Master Plan. The appropriate avenue for considering any amendment to the Peccole Ranch Master Plan is through the Major Modification process as outline in Title 19.10.040..."
- "The current General Plan Amendment, Rezoning and Site Development Plan Review requests are dependent upon on action taken on the Major Modification..."
- "The proposed Development requires a Major Modification (MOD-63600) of the Peccole Ranch Master Plan...."
- "The Department of Planning has determined that any proposed development not in conformance with the approved (1990) Peccole Ranch Master Plan would be required to pursue a Major Modification..."
- "The Peccole Ranch Master Plan must be modified to change the land use designations from Golf Course/Drainage to Multi-Family prior to approval of the proposed General Plan Amendment..."
- "In order to redevelop the Property as anything other than a golf course or open space, the applicant has proposed a Major Modification of the 1990 Peccole Master Plan."
- "In order to address all previous entitlements on this property, to clarify intended future development relative to existing development, and because of the acreage of

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the proposed for development, staff has required a modification to the conceptual plan adopted in 1989 and revised in 1990."

ROR000001-27; ROR002425-2428; ROR006480-6490; ROR017362-17377.

9. The City's failure to require or approve of a major modification, without getting into the question of substantial evidence, is legally fatal to the City's approval of the Applications because under the City's Code, as confirmed by the City's Planning Department, the City was required to first approve of a major modification of the Peccole Ranch Master Plan, which was never done. That, by itself, shows the City abused its discretion in approving the Applications.

10. Instead of following the law and the recommendations from the City's Planning Department, over the course of many months there was a gradual retreat from talking about a major modification and all of a sudden that discussion and the need for following Staff's recommendation just went out the window.

11. The City is not permitted to change the rules and follow something other than the law in place. The Staff made it clear that a major modification was mandatory. The record indicates that the City Council chose to just ignore and move past this requirement and did what the developer wanted, without justification for it, other than the developer's will that it be done.

12. In light of the foregoing, the Court finds that the City abused its discretion in approving the Applications. The Court interprets the City's Code, just as the City itself had long interpreted it, as requiring a major modification of the Peccole Ranch Master Plan. Since the City failed to approve of a major modification prior to the approval of these Applications the City abused its discretion and acted in contravention of the law.

Based upon the Findings and Facts and Conclusions of Law above:

IT IS HEREBY ORDERED that Plaintiffs' Petition for Judicial Review is **GRANTED**.

. . .

. . .

. . .

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IT IS FURTHER ORDERED that the approval of the applications GPA-62387, ZON-62392, and SDR-62393 are hereby vacated, set aside, and shall be void, and judgment shall be entered against Defendant City of Las Vegas and Seventy Acres, LLC in favor of Plaintiffs accordingly.

DATED: March 1, 2018

THE HONORABLE JIM CROCKETT
EIGHTH JUDICIAL DISTRICT COURT

Submitted by:

PISANELLI BICE PLLC

By: _____
Todd L. Bice, Esq., Bar No. 4534
Dustun H. Holmes, Esq., Bar No. 12776
400 South 7th Street, Suite 300
Las Vegas, Nevada 89109

Attorneys for Plaintiffs

Approved as to Form and Content by:

KAEMPFER CROWELL

By: NOT SIGNED
Christopher L. Kaempfer, Esq., Bar No. 1625
Stephanie Allen, Esq., Bar No. 8486
1980 Festival Plaza Drive, Suite 650
Las Vegas, Nevada 89135

Attorneys for Seventy Acres, LLC

Approved as to Form and Content by:

By: NOT SIGNED
Philip R. Byrnes, Esq., Bar No. 166
495 South Main Street, Sixth Floor
Las Vegas, Nevada 89101

Attorneys for City of Las Vegas

PISANELLI BICE PLLC
400 SOUTH 7TH STREET, SUITE 300
LAS VEGAS, NEVADA 89101
702.214.2100

4

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

180 LAND CO LLC, et al., Plaintiff(s), v. CITY OF LAS VEGAS, et al., Defendant(s).	Case No. 2:18-CV-547 JCM (CWH) ORDER

Presently before the court is plaintiffs 180 Land Co LLC ("180 Land"); Fore Stars, Ltd ("Fore Stars"); Seventy Acres LLC ("Seventy Acres"); and Yohan Lowie's (collectively "plaintiffs") motion for reconsideration. (ECF No. 74). Defendants City of Las Vegas, James Coffin, and Steven Seroka (collectively "defendants") filed a response (ECF Nos. 76, 77), to which plaintiffs replied (ECF No. 79).

I. Facts

Fore Stars, 180 Land, and Seventy Acres ("plaintiff landowners") collectively own approximately two hundred and fifty (250) acres of real property ("the Badlands property") within the boundaries of the City of Las Vegas. (ECF No. 1). Plaintiff landowners originally leased the property to a golf course operator. *Id.* On December 1, 2016, the golf course lease terminated and plaintiff landowners began converting the land for residential and commercial use. *Id.* On November 30, 2017, the State of Nevada State Board of Equalization approved the Clark County Assessor's determination that plaintiff landowners converted the property to a "higher use" for residential and commercial development in accordance with NRS 261A.031. *Id.*

Plaintiffs allege that Coffin and Seroka, who are council members on the Las Vegas City Council ("City Council"), have used and continue to use their official capacity to oppose plaintiffs'

James C. Mahan
U. District Judge

numerous applications to develop the Badlands property. *Id.* Plaintiffs further allege that Coffin and Seroka have remarkable animus and bias against plaintiffs, which renders their participation on the City Council unlawful. *Id.*

The complaint contains a number of details pertaining to Coffin and Seroka's bias. Plaintiffs primarily allege that Coffin categorically refused to allow development of the Badlands property unless plaintiffs met the demands of Coffin's longtime friend, Mr. Binion. *Id.* At the time Coffin purportedly imposed this precondition, Mr. Binion was demanding plaintiffs to hand over one hundred and eighty-three (183) acres of the Badlands property. *Id.* Plaintiffs further alleged that Coffin made various statements to Lowie, who is of Jewish descent, that compared Lowie's actions to develop the Badlands property to Israel's treatment of Palestinians. *Id.* The complaint contains a letter that Coffin sent to Todd Polikoff, the president and CEO of Jewish Nevada, in which he confirms making such statements to Lowie. (ECF No. 1-4).

As to Seroka, plaintiffs allege that Seroka attended a town hall meeting at the Queensridge Common Interest Community Clubhouse, which is located in a community that contains wealthy, influential homeowners that oppose development of the Badlands property. (ECF No. 1). In that town hall meeting, Seroka purportedly stated that it would be "the stupidest thing in the world" for the City Council to follow the letter of the law in adjudicating plaintiffs' applications. *Id.*

On March 26, 2016, plaintiffs filed a complaint alleging four causes of action: (1) violation of equal protection under the Fourteenth Amendment of the United States Constitution pursuant to 42 U.S.C. § 1983; (2) violation of procedural due process under the Fourteen Amendment of the United States Constitution pursuant to § 1983; (3) violation of equal protection under Article Four, Section Twenty-one of the Nevada Constitution; (4) violation of procedural due process under Article One, Section Eight, Subsection Five of the Nevada Constitution. (ECF No. 1).

On December 21, 2018, the court dismissed without prejudice plaintiffs' equal protection claims and dismissed with prejudice plaintiffs' procedural due process claims. (ECF No. 72). Now, plaintiffs move for reconsideration. (ECF No. 74).

. . .

. . .

II. Legal Standard

A motion for reconsideration "should not be granted, absent highly unusual circumstances." *Marlyn Nutraceuticals, Inc. v. Mucos Pharma GmbH & Co.*, 571 F.3d 873, 880 (9th Cir. 2009). "Reconsideration is appropriate if the district court (1) is presented with newly discovered evidence, (2) committed clear error or the initial decision was manifestly unjust, or (3) if there is an intervening change in controlling law." *School Dist. No. 1J v. ACandS, Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993); *see* Fed. R. Civ. P. 60(b).

Federal Rules of Civil Procedure 59(e) and 60(b) permit "a district court to reconsider and amend a previous order," however "the rule offers an extraordinary remedy, to be used sparingly in the interests of finality and conservation of judicial resources." *Carroll v. Nakatani*, 342 F.3d 934, 945 (9th Cir. 2003) (internal quotations omitted). A motion for reconsideration is also an improper vehicle "to raise arguments or present evidence for the first time when they could reasonably have been raised earlier in litigation." *Marlyn Nutraceuticals*, 571 F.3d at 880.

III. Discussion

Plaintiffs argue that the court should amend its December 21, 2018, order and allow plaintiffs to proceed on their procedural due process claims. (ECF No. 74). Specifically, plaintiffs argue that Nevada state courts have changed the relevant controlling law by holding that plaintiffs have a right to develop the Badlands property. *Id.*

In its December 21, 2018, order, the court dismissed plaintiffs' procedural due process claims because plaintiffs do not have a property interest that the Due Process Clause of the Fourteenth Amendment protects. (ECF No. 72). The court held that plaintiffs did not have a due process right to develop the Badlands property because state law did not significantly limit the City Council's discretion in adjudicating plaintiffs' applications to develop the land. *Id.* The court based its ruling on a plain reading of the Las Vegas Unified Development Code and NRS 278. *Id.*

Now, plaintiffs provide the court with orders from related state court actions holding that plaintiffs have a right to develop the Badlands property. (ECF Nos. 74-1, 74-2). Plaintiffs have also provided Nevada Supreme Court opinions affirming the Nevada state courts' orders awarding of attorney's fees and denying motions for reconsideration. (ECF Nos. 74-3, 74-4).

The court has reviewed the state court decisions and finds that plaintiffs are confusing the issues. In both state court actions, the trial courts were not addressing plaintiffs' right to develop the Badlands property with respect to any adjudicatory actions from the City Council. Rather, they were deciding whether the master planned community documents for the Queensridge Common Interest Community prevent or otherwise impact development of the Badlands property. *See* (ECF Nos. 74-1, 74-2, 74-3, 74-4).

Indeed, defendants properly assert that this action and the state court cases "are ships that pass in the night and have nothing to do with one another." (ECF No. 76). Thus, plaintiffs have failed to show that state law creates a property interest to develop the Badlands property which the Due Process Clause of the Fourteenth Amendment protects. *See Outdoor Media Grp., Inc. v. City of Beaumont*, 506 F.3d 895, 903 (9th Cir. 2007) ("Vested rights in a land development permit . . . 'are created and their dimensions are defined by existing rules or understandings that stem from . . . state law.'")

IV. Conclusion

Because plaintiffs have not shown that they have a protected property interest to develop the Badlands property, the court will not amend its December 12, 2018, order. The court also declines to address the remaining issues that plaintiffs raise in their motion as they are not pertinent to the resolution of this action.

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that plaintiffs' motion for reconsideration (ECF No. 74) be, and the same hereby is, DENIED.

DATED May 2, 2019.

James C. Mahan

UNITED STATES DISTRICT JUDGE

ames C. Mahan
S. District Judge

5

Developer in Badlands battle eyes Supreme Court ruling

By Shea Johnson
Las Vegas Review-Journal



Michael Quine Las Vegas review-Journal @Vegas88s

A developer has proposed constructing homes on the Badlands golf course weaving through the affluent Queensridge community near Summerlin.

After a recent U.S. Supreme Court decision, a housing developer accusing Las Vegas officials of taking 65 acres of his property on a defunct golf course may test his claim in federal court.

In a statement this past week, EHB Cos. CEO Yohan Lowie drew a parallel between his case and the matter at the forefront of the high court's June 21 decision: A Pennsylvania farm owner tried to contest her town's cemetery ordinance in federal court but was denied because she was required to first litigate through state channels.

The Supreme Court ruled 5-4 that developers and landowners may sue immediately in federal court to argue that a state or local government has trampled on their property rights.

"We have been forced to go through a long proceeding before the state court would even consider the city's illegal actions against us," Lowie said. "We are now able to proceed in federal court."

The city declined to comment on the ruling and how it might affect litigation.

Lowie has proposed constructing homes on the Badlands golf course weaving through the affluent Queensridge community near Summerlin. He has filed several lawsuits against the city after the council knocked down his redevelopment plan in June 2017.

For years, the proposal has stirred contentious debate invoking property rights and opposition to high-density development.

An inverse condemnation lawsuit filed in state court nearly a year ago alleges the council's refusal to allow the project is tantamount to taking Lowie's property without just compensation.

Before the Supreme Court decision, people seeking federal court intervention would have had to first seek a remedy through state court. If they lost, their claim would be barred in federal court. That led Chief Justice John Roberts, who wrote the conservative majority opinion, to note how it presented a "Catch-22" for plaintiffs.

In Knick vs. Township of Scott, Pennsylvania, farm owner Rose Mary Knick had protested an ordinance that required people whose land included a cemetery to open the property to the public during the day.

Knick, who denied her land maintained acemetery, argued the town rule meant the government was taking her property without paying for it.

Contact Shea Johnson at sjohnson@reviewjournal.com or 702-383-0272. Follow @Shea_LVRJ on Twitter.

See this article in the e-Edition Here

Stacey Campbell

From:	Dave Alexander <dalexander@cmworks-us.com>
Sent:	Sunday, July 7, 2019 2:21 PM
To:	Olivia Diaz; Susan Finucan
Cc:	LuAnn D. Holmes
Subject:	BILL 2019-19 - REPEAL VOTE COMMENTS

EXTERNAL EMAIL

Hi Councilwoman Diaz, I noticed there is a vote for repeal of newly approved open space ordinance. I just became aware of it as I live near Badlands Golf Course. This has been a sensitive issue and maybe shouldn't be one of the first issues to come up with three new council people starting on the Council. Further, there was a lot of time and effort put into developing this ordinance and not sure why it is coming up so quick to repeal. Open space is a big issue and the City is becoming more and more congested and traffic is getting heavy in some areas. This appears to be something backed by a large out of state developer at the expense of local constituents. What is the rush to repeal this so quickly? Please consider maintaining and NOT repealing this ordinance or at the very least put off the vote until the ramifications can be understood. Thank you.

DAVID ALEXANDER
1000 Meadowleah Street
Las Vegas, NV 89145

Submitted after final agenda

Item 61

Stacey Campbell

From: Esthefany Arochi
Sent: Tuesday, July 9, 2019 11:38 AM
To: Stacey Campbell
Subject: FW: BILL 2019-19 - REPEAL VOTE COMMENTS

From: Stephen Allott <stephen@allott.net>
Sent: Tuesday, July 9, 2019 10:55 AM
To: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>
Cc: Esthefany Arochi <earochi@LasVegasNevada.GOV>; LuAnn D. Holmes <ldholmes@LasVegasNevada.GOV>
Subject: BILL 2019-19 - REPEAL VOTE COMMENTS

EXTERNAL EMAIL

Dear Mayor Goodman,

I would like to voice my strong opposition to the proposed repealing of Bill 2019-19.

I hope the council will spend its valuable time discussing the many serious issues facing the city. Bill 2019-19 was already discussed and voted upon.
The council needs to move on to more pressing issues.

Sincerely,

Stephen Allott

STEPHEN ALLOTT
1004 Sir James Bridge Way,
Las Vegas, NV 89145

Trevor Atkin

RECEIVED
CITY CLERK
2019 JUL -9 A 9:19

To: mfiore@lasvegasnevada.gov
Cc: ldholmes@lasvegasnevada.gov
Subject: SUBJECT LINE: BILL 2019-19 - REPEAL VOTE COMMENTS

Councilwoman,

My wife and I reside within the city and very much oppose the repeal of the Open Space Ordinance. It ordinance does not inhibit growth and protects existing neighborhoods.

Respectfully,

ATKIN WINNER & SHERROD
A NEVADA LAW FIRM

Trevor L. Atkin
1117 South Rancho Drive
Las Vegas, NV 89102
PHONE (702) 243-7000 | FAX (702) 243-7059
tatkin@awslawyers.com
www.awslawyers.com

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Jason Awad

RECEIVED
CITY CLERK
2019 JUL -9 P 4:37

From: Jason Awad
Sent: Tuesday, July 09, 2019 4:16 PM
To: cgoodman@lasvegasnevada.gov; earochi@LasVegasNevada.GOV
Cc: ldholmes@lasvegasnevada.gov
Subject: BILL 2019-19 - REPEAL VOTE COMMENTS

Dear Mayor Goodman,

The Open Space Ordinance was passed with the best interests of community in mind. To repeal the ordinance would be a great disservice to the community and the future generations who will live here. I firmly oppose the proposed repeal of this ordinance and believe that its repeal would be detrimental to the best interest of the community.

I am requesting that my comments above be recorded for the Recommending Meeting on July 15, 2019 and the City Council Meeting on July 17, 2019.

Jason Awad
Queensridge Resident
(604 Queensridge Ct.)

Stephanie Bolton

To: vseaman@lasvegasnevada.gov; jsandecki@LasVegasNevada.GOV
Cc: ldholmes@lasvegasnevada.gov
Subject: BILL 2019-19 - REPEAL VOTE COMMENTS

RECEIVED
CITY CLERK
2019 JUL -9 A 10:44

July 9, 2019
Mr. and Mrs. Michael and Stephanie Bolton
9177 Tudor Park Place
Las Vegas, NV 89145

Dear Sir/Madame:

Thank you for the opportunity to be heard regarding the **Open Space Ordinance Matter 4:2.**

It is our concern that developers of the empty golf course lot at the rear of our home is in debate. While we understand the possible progress of the land development, our home purchase choice was largely influenced by the open space differential over other neighborhoods.

Even though the empty space may offer development options, the fact that our property value may suffer and thusly, our investment may, in turn suffer, as well. We do not object to the right of the developer to enhance the property and, thereby increase the beauty and enhance the lifestyle of our surroundings of a home we worked hard to afford.

We would hope that the decision to uphold the ordinance will prevail. Free reign to change the area immediately surrounding our home, as well as homeowners throughout the city, should not be a free-will action. The developers do not live within the areas they are developing, and, therefore may have no other vested interest, besides their profit. Affected homeowners should not only have a voice when it comes to their living standards and choice, but it should be a required check-balance opportunity.

Finally, without question or exception, the area should be managed well, maintained consistently, and respectfully manicured, regardless of the land usage. At this time our Badlands Golf Course area is without care and is becoming a neighborhood eye-sore. Hopefully, we will avoid steps backward in this progress. Uphold **Open Space Ordinance.**

Kindest regards,

The Bolton Family
mandsbolton@cox.net

LuAnn D. Holmes

From: Kevin Brehmer <kbrehmer2000@gmail.com>
Sent: Monday, July 8, 2019 8:30 PM
To: Victoria Seaman
Cc: Jordan Sandecki; LuAnn D. Holmes
Subject: Bill 2019-19 Repeal Vote Comments

EXTERNAL EMAIL

Dear Recommending Committee and City Council Members,

The Open Space Ordinance pertaining to the repurposing of certain golf courses and open space (that Councilman Steve Seroka championed and the Council approved 4:2). This ordinance had broad support from communities with open space/golf courses, the Southern Nevada Homebuilders, most of the Unions. Our Queensridge community has let their voices be heard for the Open Space Ordinance at various City Council meetings over the past year(s) and this is continuance of that voice for Open Space.

Please make my comments above be recorded for the Recommending Meeting on July 15, 2019 and City Council Meeting on July 17, 2019.

Sincerely,
Kevin Brehmer

Stacey Campbell

From: Esthefany Arochi
Sent: Tuesday, July 9, 2019 8:58 AM
To: City Clerk, Deputies
Subject: FW: 2019-19 Repeal of Open Space Ordinance

FYI

From: Rachel Burgess <rmburgess21@hotmail.com>
Sent: Monday, July 8, 2019 6:36 PM
To: Esthefany Arochi <earochi@LasVegasNevada.GOV>
Subject: 2019-19 Repeal of Open Space Ordinance

EXTERNAL EMAIL

I have been a Queensridge resident for 19 years. I oppose the repeal of the Open Space ordinance. I request my comment be recorded for recommending meeting on July 15 , and City Council meeting on July 17, is 2019.

Rachel and Arthur Burgess
301 Prince Charming Court
Las Vegas, NV 89145

Sent from my iPhone

LuAnn D. Holmes

From: Steve Caria <stevecaria@yahoo.com>
Sent: Monday, July 8, 2019 6:55 PM
To: Victoria Seaman
Cc: Jordan Sandecki; LuAnn D. Holmes
Subject: BILL 2019-19 - REPEAL VOTE COMMENTS

EXTERNAL EMAIL

Councilwoman Seaman,

As a concerned resident of Las Vegas, and negatively impacted by an egregious development (The Badland's) it seems incomprehensible that you would be asked to vote on this matter after only a few weeks in your newly elected position.

Would you please explain why this ordinance is being repealed before it has even been implemented?

Why are hard fought for protections for affected neighborhoods all over the City under attack?

What is the rush to repeal? Why are the 3 new Council members (Brian Knudsen, Olivia Diaz, and Victoria Seaman) being asked to take this vote after being in office only two weeks? Is it possible for new council members to get up to speed on such a contentious item that has been contested both in the City Council Chambers and the legal system for approximately four (4) years. I assume you realize that you could be jeopardizing the City's legal position by pushing this agenda item on the fast track?

Are there development applications for re-purposing open space just waiting in the wings for the ordinance to be repealed?

When the ordinance was adopted, Council members Seroka, Crear, Tarkanian and Coffin voted to pass the ordinance. Although all the legal rulings have been decided against this developer, is this yet another sign of bias?

I am looking forward to your "direct" responses to this email, as this matter is of great concern to me, my family, neighbors and our community.

Regards,

Steve Caria
9101 Alta Dr.
Las Vegas, NV 89145

July 9, 2019

Resident of Ward Two Opposition to Repeal of Open Space Ordinance

My wife and I are residents in Queenridge owning a single family residence at 9716 Foxtrap Avenue Las Vegas, Nevada, 89145. I have personally attended meetings at the Homeowners Association and City Counsel. I have heard principals of the EHB, including Yohar Lowie state that they can do whatever they wish with the property, Badlands, and are not bound by any proposals (evidenced by disclaimers on the plats). This was prior to the Open Space passage.

There was no mistaking the demeanor of the EHB principals and their advocates. It was threating, malicious and retaliatory. Lorie mentioned sitting in the office of and with Mayor Goodman believing they had a deal prior to the Ordinance. It is common knowledge that EHB took control of the recent Ward election process and "flooded the zone" with his supporters to enable the election results to support his financial goals. The vote to pass the Open Space Ordinance was four to two. The two voting in opposition are still on the council.

EHB-Lorie has undertaken a virtual pillage of the affected property. They have erected 'No Trespassing no Dumping" signs turned off water to the course, cut down tress and piled the debris in violation of their own signage. The result is obvious, a newly contrived wasteland to support the repeal move.

The scope of the issues are large: why is the ordinance being repealed before it has been implemented; why are hard fought for protections for affected neighborhoods all over the city under attack; what is driving the rush to repeal; why are the 3 new council members (Knudsen, Diaz, Seaman) being asked to take this vote after being in office only two weeks; are there development applications for repurposing open space waiting in the wings for the ordinance t be repealed?

We urge the council to vote against repeal and be vetted for conflict of interests as a matters of ethics.

Richard A Cass, for himself and his wife Irene M Bourgault

9716 Foxtrap Avenue

Las Vegas, Nevada 89145

DARKTRACE EMAIL ACTIONED - This file has been converted from its original format for security purposes by Darktrace. Please call the Service Desk at X2479 if you believe this is a valid file. Please reference this code; B2CCAF4888D71.

Stacey Campbell

From: Lauren Chase <lkchase@me.com>
Sent: Tuesday, July 9, 2019 4:54 PM
To: Michele Fiore
Cc: LuAnn D. Holmes
Subject: Bill 2019-19

EXTERNAL EMAIL

Dear Councilwoman Fiore,

Please do not repeal the Open Space Building Ordinance which protects the homeowners throughout Las Vegas who Live close to Golf Courses and lakes.

The open space ordinance protects homeowners and other people in Las Vegas from the destruction of open space.

Without the ordinance in place, peoples lives can be turned upside down by powerful developers.

Please leave the open space building ordinance intact.

Yours truly,

Lauren Chase

9101 Alta Drive unit 1601,

Las Vegas, NV 89145

Sent from my iPad

Stacey Campbell

From: Terry Chase <tlchase@pacbell.net>
Sent: Tuesday, July 9, 2019 5:18 PM
To: Carolyn G. Goodman; Esthefany Arochi
Cc: LuAnn D. Holmes
Subject: Leave the Open Space Building Ordinance Intact - It's a good ordinance

EXTERNAL EMAIL

Dear Mayor,

The Open Space Building Ordinance protects homeowners throughout Las Vegas who live close to Golf Courses and Lakes.

Please leave the open space building ordinance intact.

The City Council should be proud that you passed it in the first place!

Thank you,

Terry Chase

9101 Alta Drive Unit 1601,

Las Vegas, NV 89145

Stacey Campbell

From: Esthefany Arochi
Sent: Wednesday, July 10, 2019 8:32 AM
To: Stacey Campbell
Subject: FW: BILL 2019-19 - REPEAL VOTE COMMENTS

-----Original Message-----
From: Peggy Cook <PEGGY@PEGGYCOOK.COM>
Sent: Monday, July 8, 2019 11:29 PM
To: Peggy Cook <PEGGY@PEGGYCOOK.COM>
Subject: BILL 2019-19 - REPEAL VOTE COMMENTS

EXTERNAL EMAIL

I strongly oppose the proposed repeal of Open Space Ordinance Bill 2019-19 pertaining to the repurposing of certain golf courses and open space. I live in the community of Queensridge and we desperately need an open space ordinance to deal with the many closed golf courses within our master planned communities throughout Las Vegas, Clark County and Henderson. This ordinance will help define what can and cannot be built within master planned communities with vacated golf courses and open space. This ordinance had broad support from communities with open space/golf courses, the Southern Nevada Homebuilders, and most of the Unions. We need to ensure the most responsible development, protect home values and the quality of life in all neighborhoods in the City we love!

Please record my comments for the Recommending Meeting on July 15 and the City Council Meeting on July 17, 2019. Thank you.

Peggy Cook, CRS, GRI, Green, SFR

License S.0026745

Berkshire Hathaway HomeServices Nevada Properties

7475 W. Sahara Ave. Ste. 100

Las Vegas, NV 89117

702-460-1947

Text Removed
<https://l.antigena.com/l/yE1ywe7k6dTOByy53Xt1EIXq4lMhyqqyL_JvQseVGCbWzclD1AIOqRfzW_fCspKh8yYkaUfSfIGaIT
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q4wQWDiAE5NQf8obCvjlgOLtYUFOxq0qQqsmGCOOCb46fCKMqTcNt~wob~0p2zGPld2R-

Stacey Campbell

From: Melody Cooper <bosslady1690@gmail.com>
Sent: Wednesday, July 10, 2019 12:53 PM
To: Stacey Campbell
Subject: Fwd:

EXTERNAL EMAIL

---------- Forwarded message ---------
From: Melody Cooper <bosslady1690@gmail.com <mailto:bosslady1690@gmail.com> >
Date: Wed, Jul 10, 2019 at 12:50 PM
Subject:
To: <vseaman@lasvegasnevada.gov <mailto:vseaman@lasvegasnevada.gov> >, <jsandecki@lasvegasnevada.gov <mailto:jsandecki@lasvegasnevada.gov> >
Cc: <ldholmes@lasvegasnevada.gov <mailto:ldholmes@lasvegasnevada.gov> >

Dear Councilwoman Seaman:

My husband and I are residents of Ward 2 in Las Vegas and offer the following comments in opposition to the potential repeal of the Open Space Ordinance ("OSO"). We respectfully requests that our comments be recorded for the July 15, 2019 Recommending Meeting as well as the July 17, 2019 City Council Meeting.

It is our view that any repeal of the OSO would be short sighted and not in the best interest of city residents and the community. By requiring land developers to implement impact studies, among other requirements, prior to development plan submissions, furthers "full transparency" in real estate development projects and promotes the health, safety and welfare of all within the community. The OSO also protects the property values of impacted homeowners. We understand that this is also the view taken by many home builders in Las Vegas as well as supported by most unions. In closing, we vehemently object to any repeal of the OSO.

Respectfully submitted,
Melody & Pierre Cooper
9333 Queen Charlotte
Las Vegas, NV 89145

Stacey Campbell

From: Gordon Culp <gordon@smithculp.com>
Sent: Saturday, July 6, 2019 1:18 PM
To: Carolyn G. Goodman; Esthefany Arochi
Cc: LuAnn D. Holmes
Subject: Bill 2019-19 repeal vote

EXTERNAL EMAIL

I am writing because of the pending vote to repeal the City's open space ordinance. You have always supported a comprehensive plan rather than a piecemeal plan for the Badlands golf course. We are all still waiting for that plan. The process in the open space ordinance could have provided the plan you desired. Help others in all parts of the City avoid these problems by voting "NO" on the repeal.

The open space ordinance protects the interests of thousands of residents throughout the City for years to come as future development issues arise. This attempt to repeal it is being jammed through for the short-term benefit of one developer.

Here are some facts to consider:

- The development of the open space ordinance was a multi-month, multi-party effort.
- Realizing Las Vegas is not the only city facing proposed development of open spaces, the City Council authorized staff to review open space ordinances successfully used by other jurisdictions.
- Staff prepared a draft ordinance taking using the best and most applicable parts of other successful ordinances.
- The draft underwent several revisions over a period of several weeks to incorporate comments from a range of stakeholders and from City Council members.
- The Public Engagement requirements of the ordinance were first adopted by the Council. They sent the Development Review and Approval Process portion of the ordinance back to staff for further changes. A final version incorporating further changes was prepared.
- There was extensive discussion of the final version at the decisive City Council meeting. Councilperson Fiore raised many objections at the City Council meeting. After hearing her objections and the responses to her objections by City staff including the City attorney, the Council voted 4-2 to adopt the ordinance in November, 2018.
- The new council members are being asked to vote on a previously adopted ordinance without the benefit of going through the many months of discussion about the ordinance or hearing first-hand the past comments of the public and City staff and Council discussions.
- The repeal of an 8-month old ordinance that resulted from a lengthy, thorough process with no evidence that there are issues in its application is a horrible precedent. If there is such a repeal, there is no stability and no rule of law that people can rely on. This leads to chaos and uncertainty for both developers and homeowners.
- Interestingly, the City of Henderson used a draft version of the City of Las Vegas ordinance as the basis for a Henderson open space ordinance that Henderson adopted in February, 2018.

Please vote against repeal of the open space ordinance.

Gordon Culp
653 Ravel CT
Las Vegas, NV 89145
702-219-4739

LuAnn D. Holmes

From: rhd4lv@cox.net
Sent: Tuesday, July 9, 2019 3:02 PM
To: mfiore@lasvegasnevada.com; Felecia Dorchuck
Cc: LuAnn D. Holmes
Subject: Fwd: Bill 2019-19 Repeal Vote Comments
Attachments: BILL 2019-19 REPEAL VOTE COMMENTS.pdf

EXTERNAL EMAIL Councilwoman Fiore. It is my understanding that you are proposing the repeal of The Open Space Ordinance. Although your basis for the repeal has not been revealed at this time, we respect the fact that you may believe that you have objective reasoning for repeal. Attached hereto is our comments in opposition to repeal of the ordinance. We have also submitted our comments in opposition to the remaining council members for their consideration. We trust you, as well as the other council members, will consider our objective comments. Ralph H. Dakdduk Betty J. Dakdduk 9617 Queen Charlotte Drive. Las Vegas, NV 89145-8674 email: rhd4lv@cox.net

========== > --------

-- Original Message ---------- > From: rhd4lv@cox.net > To: cgoodman@lasvegasnevada.gov, earochi@lasvegasnevada.gov, santhony@lasvegasnevada.gov, rskouson@lasvegasnevada.gov, ccrear@lasvegasnevada.gov, tjackson@lasvegasnevada.gov, odiaz@lasvegasnevada.gov, sfinucan@lasvegasnevada.gov, bknudsen@lasvegasnevada.gov, zgomes@lasvegasnevada.gov, vseaman@lasvegasnevada.gov, jsandecki@lasvegasnevada.gov > Cc: ldholmes@lasvegasnevada.gov > Date: July 9, 2019 at 2:35 PM > Subject: Bill 2019-19 Repeal Vote Comments > > > > Subject: Bill 2019-19 Repeal Vote Comments > > > > Attachment: Comment letter of opposition to the subject Bill 2019-19is made a part of this mail as if contained in the body herein. > > > > Ralph H. Dakdduk > > Betty J. Dakdduk > > 9617 Queen Charlotte Drive > > Las Vegas, NV 89145-8674 > > email: rhd4lv@cox.net

Pg 1 of 3

Dakdduk Family

9617 Queen Charlotte Drive Las Vegas, NV 89145-8674

Ralph H. Dakdduk
Betty J. Dakdduk Email: rhd4@cox.net

==========

Jul 8, 2019

Las Vegas City Council Member
Re: Bill 2019-19 – Repeal Vote Comments Attachment to Email

We oppose the repeal of the subject Bill 2019-19. Issues that are brought for action before the Las Vegas City Council, for property development, have a common denominator in the interest of the City of Las Vegas – ensuring specific guidelines for standards that are consistent, organized, codified, incompliance with zoning and not in conflict with other governing documents. Repurposing of certain golf courses and open spaces are subject to the forgoing comments by their very unique nature of being "open" i.e. vacant areas where a precedent(s) has not been established.

If repurposing of certain golf courses and open space were void of standards, property owners could be tempted to proceed development on a property by property basis, only to be guided by their personal preference. It is beyond imaginable the chaos that would follow. It is incumbent upon governmental bodies to prevent such inconsistencies. Rules to abide by. And the "ordinance appears to be reasonable and applicable.

Further it is inconceivable that the previously approved "ordinance" would be unjustifiably challenged. Valid reasons for challenging may include being illegally approved, fraudulently approved, unconstitutional, or in conflict with existing ordinance, laws or other governing documents. None of these reasons appear to apply.

The council members, in their wisdom, overwhelming approved the Open Space Ordinance (4 to 2). We are of the opinion the "ordinance" serves the purpose for which intended and addresses guidelines and standards, accordingly. We are confident, those council members, and those who drafted its' content, considered the implications cited herein. We believe it is a sound and effective ordinance and should remain as is. We would not reasonably expect this, or any future, Las Vegas City Council, to consider repealing the previously approved actions unless the above, or similar, infractions existed.

We request that our comments be recorded for the Recommending Meeting on July 15, 2019 as well as the Las Vegas City Council Meeting on July 17, 2019.

This letter is a part of our email, as if contained within that email, to you as addressed.

DARKTRACE EMAIL ACTIONED - This file has been converted from its original format for security purposes by Darktrace. Please call the Service Desk at X2479 if you believe this is a valid file. Please reference this code, BB67E51740349.

Pg 2 of 3

Owner:

Ralph H. Dakdduk
Betty J. Dakdduk
9617 Queen Charlotte Drive
Las Vegas, NV 89145-8674

DARKTRACE EMAIL ACTIONED - This file has been converted from its original format for security purposes by Darktrace. Please call the Service Desk at X2479 if you believe this is a valid file. Please reference this code, BB67E51740349.

Stacey Campbell

From: Esthefany Arochi
Sent: Tuesday, July 9, 2019 3:36 PM
To: Stacey Campbell
Subject: FW: Bill 2019-19-repeal vote comments

-----Original Message-----
From: krystal dicandilo <krystaldicandilo@hotmail.com>
Sent: Tuesday, July 9, 2019 3:35 PM
To: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>
Cc: Esthefany Arochi <earochi@LasVegasNevada.GOV>
Subject: Bill 2019-19-repeal vote comments

EXTERNAL EMAIL

Hello,
My husband Gino and I bought our home in March of 2015 in the Palms @ Silverstone Ranch golf course! We enjoy the ambiances of golf course living and to be frank the golf course scenery was exactly the "WOW" factor we desired! Only to find out a few months later that Silverstone Ranch golf course was purchased and closed. Needless to say we were mortified and we are both in favor of the open space ordinance!

Why and how is this ordinance being repealed before it has even had a chance to be implemented? What and who is driving the repeal rush when there are three brand new council members that have only been in office a few weeks.

Our votes stay the same and we are in favor of the open space land ordinance.

Thanks for your time,
Giovani & Krystal DiCandilo

LuAnn D. Holmes

From: Effie Eliades <agapi1993@icloud.com>
Sent: Tuesday, July 9, 2019 4:14 PM
To: Jordan Sandecki
Cc: LuAnn D. Holmes
Subject: Bill 2019-19-Repeal Vote Comments

EXTERNAL EMAIL

Please do not repeal the open space ordinance! This ordinance was enacted to protect communities and residents all over the Las Vegas valley. Please support this ordinance for the preservation of open space and residential communities that rely on your protection. Please record this for the meeting on 7/15/19 and 7/17/19.

Thank you,
Effie Eliades

Sent from my iPhone

Stacey Campbell

From: LuAnn D. Holmes
Sent: Thursday, July 11, 2019 2:04 PM
To: Stacey Campbell
Subject: FW: Bill 2019-19 Repeal Vote Comments

From: Michael Johnson <mlj858@gmail.com>
Sent: Tuesday, July 9, 2019 12:33 AM
To: Victoria Seaman <vseaman@lasvegasnevada.gov>; Jordan Sandecki <jsandecki@LasVegasNevada.GOV>
Cc: LuAnn D. Holmes <ldholmes@LasVegasNevada.GOV>
Subject: Bill 2019-19 Repeal Vote Comments

EXTERNAL EMAIL Dear Councilwoman Seaman My wife and I are residents of Ward 2 in Las Vegas and offer the following comments in opposition to the potential repeal of the Open Space Ordinance ("OSO"). We respectfully requests that our comments be recorded for the July 15, 2019 Recommending Meeting as well as the July 17, 2019 City Council Meeting. It is our view that any repeal of the OSO would be short sighted and not in the best interest of city residents and the community. By requiring land developers to implement impact studies, among other requirements, prior to development plan submissions, furthers "full transparency" in real estate development projects and promotes the health, safety and welfare of all within the community. The OSO also protects the property values of impacted homeowners. We understand that this is also the view taken by many home builders in Las Vegas as well as supported by most unions. In closing, we vehemently object to any repeal of the OSO. Respectfully submitted, Michael and Andrea Johnson 301 Kingsclear Ct. Las Vegas, NV 89145

LuAnn D. Holmes

From: eleni <elenieliades@hotmail.com>
Sent: Tuesday, July 9, 2019 10:56 AM
To: LuAnn D. Holmes
Subject: Fwd: Please don't repeal the open space ordinance
Attachments: image001.png; image002.png; image003.png; image004.png; image005.png

EXTERNAL EMAIL

To: City Clerk,

Please request to put on record and as meeting backup document.

Respectfully

Eleni Eliades

Get Outlook for iOS

From: eleni <elenieliades@hotmail.com>

Sent: Tuesday, July 9, 2019 9:14 AM

To: Jordan Sandecki

Cc: Ward 2 Staff

Subject: Re: Please don't repeal the open space ordinance

Thank you for going above and beyond to help our plight! Thank you for your kindness! All your help is much appreciated.

Respectfully

Eleni Eliades

Get Outlook for iOS

From: Jordan Sandecki <jsandecki@LasVegasNevada.GOV>

Sent: Tuesday, July 9, 2019 8:39:20 AM

To: eleni

Pg 1 of 2

Cc: Ward 2 Staff

Subject: RE: Please don't repeal the open space ordinance

Eleni, thank you for reaching out to the Ward 2 office to share your concerns about bill 2019-19. Councilwoman Seaman has recently taken office and is working to familiarize herself with all of the available information concerning this bill. I will share your comments with her. You've also copied the City Clerk, but I will forward your email to the appropriate members of her team to ensure your comments are entered for the record on this item. Please let me know how I can be of further assistance.

Respectfully,

Jordan Sandecki

Special Assistant to Councilwoman Victoria Seaman
Office of the City Council | Ward 2
702-229-2420|702-468-5451
495 S. Main St. | Las Vegas, NV 89101

lasvegasnevada.gov

From: eleni <elenieliades@hotmail.com>

Sent: Monday, July 8, 2019 6:16 PM

To: Jordan Sandecki <jsandecki@LasVegasNevada.GOV>

Cc: LuAnn D. Holmes <ldholmes@LasVegasNevada.GOV>

Subject: Please don't repeal the open space ordinance

EXTERNAL EMAIL

Please do not repeal the open space ordinance! This ordinance was enacted to protect communities and residents all over the Las Vegas valley. Please support this ordinance for the preservation of open space and residential communities that rely on your protection. Please record this for the meeting on 7/15/19 and 7/17/19.

Thank you

LuAnn D. Holmes

From: Donna Lefever <donnasellsvegashomes@gmail.com>
Sent: Tuesday, July 9, 2019 4:40 PM
To: Victoria Seaman
Cc: jsandecki@lasvegasnevada.gom; LuAnn D. Holmes
Subject: Bill 2019-19 Repeal Vote Comments

EXTERNAL EMAIL

As an owner of a home in Queensridge located on the former Badlands golf course, I would like to voice my opposition to the repeal that Councilwoman Fiore is purposing. Please let this email serve as documentation that I STRONGLY oppose this repeal.

Respectfully,
Donna Lefever
9433 Queen Charlotte Dr.

Donna Lefever
Broker/Salesperson
Realty One Group
10750 W. Charleston Blvd Suite 180
Las Vegas, NV 89135

Direct 702-279-7663
Fax 866-373-6008

DonnaSellsVegasHomes@gmail.com <mailto:DonnaSellsVegasHomes@gmail.com>
Text Removed <https://l.antigena.com/l/Kd4BqemkbHkqjTag9-uFVIzu5MNuByNPzdECOVY67JLIyf3ASfldPsUkm6sd60TEWPDhTXhUflr70sG5IfSSmgsYsOuxuWnDRQ5q-zC~2SkDRuuEHyWJ3h7HY42AutQSCpF30O2CZJfq9rNFV0hXsikoy8KjUpL~sPIVLf73ylYNjl3q2i7gaqRkrJjB4LGSGX1FlUiX76n8gV7xbGqSK39eddp7eYS37NDUqgvZRbBrwM3-lpTL2OtyvrSbVi18VCaxkNhf72rtqIwQzEcRYH9Fo2hxW2KtlxO~X~EK0OALkGSc1tNCXnfg0nlVRtSvBs6R0N0wVuwnLiNbmUpJNUrbRmUgQGZ38Jmg33qxzvpsIE461k8385UNJzOyCrBcJC3mShELV~US>

Stacey Campbell

From: Carolyn G. Goodman
Sent: Wednesday, July 10, 2019 3:10 PM
To: LuAnn D. Holmes; Stacey Campbell
Subject: FW: Open space Ordinance

CAROLYN G. GOODMAN, MAYOR
Las Vegas City Hall
495 S. Main Street
Las Vegas, NV 89101

(702)229-6241

City Hall is closed on Fridays

From: Catherine Green <hawk1000s@icloud.com>
Sent: Tuesday, July 9, 2019 9:26 AM
To: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>; Esthefany Arochi <earochi@LasVegasNevada.GOV>
Cc: LuAnn D. Holmes <ldholmes@LasVegasNevada.GOV>
Subject: Open space Ordinance

EXTERNAL EMAIL

I would like to be record and include this document action when Repeal Motion is heard at the Recommendation Meeting on July 15 and the City Council Meeting On July 17, 2019.
I am a resident of Ward 4 and am urging you to vote against the repeal of the open space ordinance. There is a lot of open space in Ward 4, including the Desert Shores Lakes and we need protection against irresponsible development should the Lakes or other open space be targeted for development.
I urge the Council to vote to NOT repeal the Ordinance.

Catherine Green
8245 Dolphin Bay Court
Las Vegas, NV 89128

Sent from my iPhone 7 plus

Stacey Campbell

From: Esthefany Arochi
Sent: Tuesday, July 9, 2019 9:00 AM
To: City Clerk, Deputies
Subject: FW: BILL 2019-19 - REPEAL VOTE COMMENTS

Follow Up Flag: Follow up
Flag Status: Flagged

FYI

-----Original Message-----
From: rick greenspan <rmglaw@verizon.net>
Sent: Tuesday, July 9, 2019 7:40 AM
To: Esthefany Arochi <earochi@LasVegasNevada.GOV>
Subject: BILL 2019-19 - REPEAL VOTE COMMENTS

EXTERNAL EMAIL

Ladies and Gentlemen:

My wife and I reside at the address noted below.

We Request that this comment be recorded for the Recommending Meeting on July 15 and City Council Meeting on July 17, 2019.

We oppose action that would rescind the Open Space Ordinance which is now in effect as we understand has been proposed by Councilwoman Fiore.

The Ordinance in effect has worked to the benefit of citizens in Las Vegas. It realistically limits vehicle traffic which would substantially change should multi housing be developed, it provides retention of needed open space in the City and community, helps protect the existing and future value of my home in an affected area (former Badlands golf course) and provides a framework that would consider the interests of the community involved.

A recommendation and vote against rescission of the Ordinance is necessary.

Thank you.

--
Richard M. Greenspan
Donna Bensik

cell: 914 329 4956
tel: 914 407 2040
email: rmglaw@verizon.net

912 Granger Farm Way

Stacey Campbell

From: Esthefany Arochi
Sent: Tuesday, July 9, 2019 8:59 AM
To: City Clerk, Deputies
Subject: FW: Open space ordinance

-----Original Message-----
From: Elizabeth Higgins <eghiggins@aol.com>
Sent: Monday, July 8, 2019 11:37 PM
To: Esthefany Arochi <earochi@LasVegasNevada.GOV>
Subject: Open space ordinance

EXTERNAL EMAIL

Council and to whom it may concern

We strongly disagree with any repeal on the open space ordinance and urge you to stand by your decision on open space/golf course use in existing neighborhood in Las Vegas...specifically Queensridge.
As a homeowner in this neighborhood, we are directly impacted by your decision.
We plead with you NOT to allow housing or commercial development on golf courses where homes have been built to exist on those open spaces.

Sincerely
Elizabeth and Terrence Higgins

9712 Foxtrap Ave
Las Vegas, NV
89145

Stacey Campbell

From: Esthefany Arochi
Sent: Tuesday, July 9, 2019 1:51 PM
To: Stacey Campbell
Subject: FW: Holden - Open Space Building Ordinance Bill

From: Terry Holden <terry@tlh-365.com>
Sent: Tuesday, July 9, 2019 12:25 PM
To: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>
Cc: Esthefany Arochi <earochi@LasVegasNevada.GOV>
Subject: Holden - Open Space Building Ordinance Bill

EXTERNAL EMAIL

Mayor Goodman

My wife and I live in Ward 2 and we are strongly in favor the Open Space Building Ordinance Bill which passed last year by a vote of 4 to 2. We are opposed to any attempt to repeal the Open Space Bill.

The Open Space Building Ordinance Bill was logical and protected the rights of existing homeowners' in neighborhoods adjacent to designated open space. It also allowed a pathway for developers to work with neighborhood associations, but it required developers to do their homework.

In the case of Badlands, the developer requested approval for density well above the existing zoning. Taking open space, and proposing a development with density at the highest levels in Las Vegas makes absolutely no sense. The Open Space Building Ordinance Bill reigned in developers and forces them to act responsibly and work with the local neighborhoods.

For the long-term success of Las Vegas, we need responsible and controlled development. Developers should not be allowed to run wild at the expense of established neighborhood. We certainly have more available land than we have water to support uncontrolled development. With our limited supply of water, we need to develop in a very responsible manner.

As a bit of a side note, at several recent meetings the Union Representatives have tried to support developers by saying they need jobs, and the Open Space Ordinance Bill hurts jobs. That is simply a joke. Las Vegas unemployment is 4.2% and the construction trades are starving for trained and skilled labor. If anything, we need more trained and skilled workers in the construction trades. And, strong building codes and restrictions make for a strong construction industry. It is a time to build quality and not quantity.

Thank you for your consideration and time.

Terry and Cheryl Holden

Terry Holden

Pg 1 of 2

9101 Alta Drive, Suite 1602
Las Vegas, NV 89145
Cell: 702-610-4545
terry@tlh-365.com

Pg 2 of 2

LuAnn D. Holmes

From: James Holt <jholt464@gmail.com>
Sent: Sunday, July 7, 2019 5:46 PM
To: Brian Knudsen
Cc: LuAnn D. Holmes; Holt James
Subject: BILL 2019-19 - Repel Vote Comments

EXTERNAL EMAIL

Councilman Knudsen,

I very much support the Open Space Ordinance pertaining to the repurposing of certain golf courses and open spaces championed by Council member Seroka and supported by others and approved by the Council in a 4:2 vote. I **very much oppose** repealing the Open Space Ordinance being considered by the Recommending Committee on July 15, 2019, and the City Council Meeting on July 17, 2019. This attempt to repeal the ordinance is an attack on the hard fought protections for affected neighborhoods all over Las Vegas. I **strongly urge** the Council to vote to keep the Open Space Ordinance as previously approved!

I request my comments be recorded for the Recommending Committee on July 15, 2019 and the City Council Meeting on July 17, 2019.

This email sent to Sally Christensen at the request of Becky Skouson during her absence.

James L. Holt
9604 Camden Hills Ave
Las Vegas, NV 89145
702-677-9754

Stacey Campbell

From: LuAnn D. Holmes
Sent: Thursday, July 11, 2019 2:06 PM
To: Stacey Campbell
Subject: FW: BILL 2019-19 - Repel Vote Comments

-----Original Message-----
From: NANCY HOLT <nls481@msn.com>
Sent: Sunday, July 7, 2019 5:42 PM
To: Brian Knudsen <bknudsen@lasvegasnevada.gov>
Cc: LuAnn D. Holmes <ldholmes@LasVegasNevada.GOV>; NANCY HOLT <nls481@msn.com>
Subject: BILL 2019-19 - Repel Vote Comments

EXTERNAL EMAIL

Councilman Knudsen,

I very much support the Open Space Ordinance pertaining to the repurposing of certain golf courses and open spaces championed by Council member Seroka and supported by others and approved by the Council in a 4:2 vote. I very much oppose repealing the Open Space Ordinance being considered by the Recommending Committee on July 15, 2019, and the City Council Meeting on July 17, 2019. This attempt to repeal the ordinance is an attack on the hard fought protections for affected neighborhoods all over Las Vegas. I strongly urge the Council to vote to keep the Open Space Ordinance as previously approved!

I request my comments be recorded for the Recommending Committee on July 15, 2019 and the City Council Meeting on July 17, 2019.

Ms. Nancy Holt
9604 Camden Hills Ave
Las Vegas, NV 89145
702-630-6943

P. 002

Maynard Howe

RECEIVED
CITY CLERK

2019 JUL -9 A 10:44

From: Maynard Howe
Sent: Tuesday, July 9, 2019 10:16 AM
To: rskouson@LasVegasNevada.GOV
Subject: Subject: Bill 2019-19 Repeal Vote Comments

Subject: Bill 2019-19 Repeal Vote Comments
I request that my comments be recorded for the Recommending Meeting on July 15 and City Council Meeting on July 17th, 2019. The repeal of this vote championed by a council member who received support from the builder questions the integrity of the process and if the repeal is passed it would cause significant loss of property values of all homeowners. How can a builder build multimillion homes and condos with open space views approved in the original master plan and that same builder destroying the open space commitment with more houses that contradict the very intention of which the space was approved? The greed of one appears to have influenced those that are supposed to serve and protect the citizens that elected them to office.

Dr Maynard A. Howe

FAX No.

JUL/09/2019/TUE 09:33 AM

City Council - Page 802

LuAnn D. Holmes

From: Ronald J Iversen <rjiversen51@gmail.com>
Sent: Tuesday, July 9, 2019 3:46 PM
To: Victoria Seaman
Cc: Jordan Sandecki; LuAnn D. Holmes
Subject: BILL 2019-19: REPEAL VOTE COMMENTS

EXTERNAL EMAIL

Dear Councilwoman Seaman,
Request these comments be recorded for the Recommending Committee on July 15, 2019 and for the City Council Meeting on July 17, 2019.

Congratulations on your recent election to the Las Vegas City Council. As you know, the Open Space Ordinance pertaining to the repurposing of certain golf courses and open spaces passed by the City Council in April 2018 is being challenged. I am firmly AGAINST THE REPEAL (FOR THE RETENTION) of the passed ordinance. Repeal of the ordinance is both bad policy and illogical for the following reasons:

1. The ordinance was enacted by the Las Vegas City Council after more than a year of nationwide research of best practices on this issue. Pros and cons were vetted and the clarity of benefit of enacting the Open Space Ordinance became evident. After receiving a majority vote of the Council, why would the Council act illogically and repeal an ordinance that has not yet been implemented and the impact fully appreciated.
2. Why are new City Council members (Mr. Brian Knutsen, Ms. Olivia Diaz and Ms. Victoria Seaman) being asked to repeal an existing ordinance after being in office for only two weeks. It is not evident why there is a rush to repeal this ordinance. Would it not be better policy and management prudence to allow the ordinance to be fully implemented and for new Council members to settle into their positions and understand the ordinance impact before requiring such a vote?
3. Responsible development is a hallmark of any great city including Las Vegas. Responsible development means allowing development to proceed while equally protecting the rights and home values of existing Las Vegas residents. The Open Space Ordinance does just that by ensuring sensible responsible development requirements are fulfilled and development is not allowed to proceed untamed. Responsible development can and should take place but not at the expense of residents who placed their trust in master planned communities and City government officials to protect them and their life investments.

The enacted Open Space Ordinance truly protects existing communities in the Las Vegas jurisdiction. I expect you as our Ward 2 representative and the remaining Las Vegas City Council members to fulfill their elected and civic obligation to the homeowners of Las Vegas and RETAIN THE OPEN SPACE ORDINANCE.

Respectfully Submitted,

Ronald J. Iversen
9324 Verlaine Court
Las Vegas, NV 89145

215-962-0363

Stacey Campbell

From: Esthefany Arochi
Sent: Tuesday, July 9, 2019 11:38 AM
To: Stacey Campbell
Subject: FW: open space ordinance

FYI

From: parrtk@aol.com <parrtk@aol.com>
Sent: Tuesday, July 9, 2019 11:09 AM
To: Esthefany Arochi <earochi@LasVegasNevada.GOV>
Subject: open space ordinance

EXTERNAL EMAIL

I find it strange that we are thinking of repeal this. It insures both sides developer/residence are covered. Their is no cost increase just moved things to the front. This sorts out those who can not afford to due the job right. As to maintaining a property in play we now can what EHB has done.; better yet not done. Tore a fence down and did not replace , cut tree's and did not remove logs, materials. Drained ponds, put offensive signs up. This is not done by someone who wants to work with the residents. This ordinance protects all from this happening again. Makes the city job easier. Removes the antagonism that comes from those actions.

Mayor, the biggest problem in development today is labor; not enough qualified works to do the projects. They are paying bounties to steal people away from other projects. The builders can not find enough people to do the job's. If you doubt ask around,. Is is not the ordinance.

Please this protects those already living in a specific area being in play.

Need your help to keep this.

Rick Kost
9813 Queen Charlotte Drive
702-228-9813

LuAnn D. Holmes

From: Duncan R. Lee <duncanrlee8@me.com>
Sent: Monday, July 8, 2019 8:53 PM
To: LuAnn D. Holmes
Subject: FW: - SUBJECT LINE: BILL 2019-19 - REPEAL VOTE COMMENTS

EXTERNAL EMAIL

This is a copy of an email submitted to Councilman Knudsen.

Duncan Lee

From: Duncan R. Lee <duncanrlee8@me.com>
Sent: Monday, July 8, 2019 8:45 PM
To: 'bknudsen@lasvegasnevada.gov' <bknudsen@lasvegasnevada.gov>
Cc: 'zgomes@lasvegasnevada.gov' <zgomes@lasvegasnevada.gov>
Subject: FW: - SUBJECT LINE: BILL 2019-19 - REPEAL VOTE COMMENTS

Dear Councilman Knudsen,

Congratulations on your election and your representation on the City Council. I am against the repeal of the open space ordinance. It is important that we retain this ordinance to provide input by affected homeowners. This will allow homeowners to enjoy an integrated "masterplan" open space community . Please vote against the repeal at the full council meeting.

Thank You

Duncan Lee

LuAnn D. Holmes

From: Irene Lee <ivlee10@me.com>
Sent: Tuesday, July 9, 2019 10:54 AM
To: Brian Knudsen
Cc: zgomes@lasvegasnevada.gov; LuAnn D. Holmes
Subject: Bill 2019-19 Repeal vote comments

EXTERNAL EMAIL

Dear Councilman Knudsen,

I am writing to you in hope that you will **vote against the repeal of** the Open Space Ordinance. This bill was written to protect all communities from developers who blindly, knowingly and forcefully develop open space that are annexed to neighborhoods like Queensridge. The Open space are what we homeowners counted on when we purchased our lot and build our homes. Your constituents rely on the Council to be truthful, fair and act with highest honesty and integrity.

The Open Ordinance was approved with 4-2 votes. It was passed by a majority favorable votes! I hope you will be consistent with your decision and vote against the repeal.

Thank you for your kind consideration. I hope you will do the "right" thing!

Thank you,

Irene Lee

9631 Orient Express Court

LuAnn D. Holmes

From: Matt's Gmail Account <suemattlv@gmail.com>
Sent: Monday, July 8, 2019 6:16 PM
To: Carolyn G. Goodman; Esthefany Arochi; Michele Fiore; Felecia Dorchuck; Stavros Anthony; Becky Skouson; Cedric Crear; Tanya Jackson-Renter; Olivia Diaz; Susan Finucan; Brian Knudsen; zgomes@lasvegasnevada.gov; Victoria Seaman; Jordan Sandecki; LuAnn D. Holmes
Subject: BILL 2019-19 - REPEAL VOTE COMMENTS

EXTERNAL EMAIL

We are Queensridge residents and we are writing you to assert that we continue to support the initiative that former Councilman Steve Seroka championed and the council approved 4:2. We oppose councilwoman Fiore's proposal to repeal the Ordinance.

Thank you for your consideration.
Matthew & Susan Mauceri

Stacey Campbell

From: Esthefany Arochi
Sent: Wednesday, July 10, 2019 8:32 AM
To: Stacey Campbell
Subject: FW: SUBJECT LINE: BILL 2019-19 - REPEAL VOTE COMMENTS

-----Original Message-----
From: Timothy Morse <tmorse@morseandassociates.com>
Sent: Tuesday, July 9, 2019 4:05 PM
To: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>
Cc: tmsteffora <tmsteffora@cox.net>; Esthefany Arochi <earochi@LasVegasNevada.GOV>
Subject: SUBJECT LINE: BILL 2019-19 - REPEAL VOTE COMMENTS

EXTERNAL EMAIL

Dear Mayor:

I am opposed to the repealing of the ordinance pertaining to the repurposing of golf courses and open space.

Timothy R. Morse, MAI

Certified General Appraiser

State of Nevada License No. A.0000005-CG

Morse-Krueger and Assoc. LLC

3140 S. Rainbow Blvd., Suite 402

Las Vegas, NV 89146

702-386-0068 Ext. 21

tmorse@morseandassociates.com

Stacey Campbell

From: Esthefany Arochi
Sent: Tuesday, July 9, 2019 11:37 AM
To: Stacey Campbell
Subject: FW: Comments BILL 2019-19

FYI

-----Original Message-----
From: Kim Neukam <kimneukam@aol.com>
Sent: Tuesday, July 9, 2019 11:25 AM
To: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>
Cc: Esthefany Arochi <earochi@LasVegasNevada.GOV>
Subject: Comments BILL 2019-19

EXTERNAL EMAIL

Mayor Goodman,

I oppose the repeal of Bill 2019-19.
I believe the open space ordinance is imperative as we move forward, as a city, in a progressive and environmentally aware manner. Las Vegas needs guidelines in place to preserve open spaces and allow for proper infrastructure prior to development.
As citizens of this great city, we are all responsible for the careful, planned, and best growth possible.
Please record my comments for the recommending meeting on July 15th and the City Council Meeting on July 17, 2019.

Sincerely,
Kim Neukam
Sent from my iPad

LuAnn D. Holmes

From: Becky Skouson
Sent: Tuesday, July 9, 2019 9:24 AM
To: LuAnn D. Holmes; Sally Christensen
Subject: FW: Bill 2019-19 Do Not Repeal

Importance: High

FYI

Becky Skouson
Special Assistant to Councilman Stavros Anthony
Office of the Mayor and City Council
702-229-2524
495 S. Main St. | 7th Floor | Las Vegas, NV 89101

lasvegasnevada.gov

From: Linda Painter <lvlindap@cox.net>
Sent: Tuesday, July 9, 2019 1:17 AM
To: Stavros Anthony <santhony@LasVegasNevada.GOV>
Cc: Becky Skouson <rskouson@LasVegasNevada.GOV>
Subject: Bill 2019-19 Do Not Repeal
Importance: High

EXTERNAL EMAIL

I am requesting that my comments regarding Bill 2019-19 be recorded for the Recommending Meeting on July 15 and City Council Meeting on July 17, 2019. Please do not repeal this bill and please forward this email to the city clerk for confirmation purposes. This bill should never be repealed as it is meant to keep the community left with some open space, the former Badlands Golf Course should not be developed.
Regards,
Linda & Neal Painter
301 Selfridge St.
Las Vegas, NV. 89145

Bob Peccole

RECEIVED
CITY CLERK
2019 JUL -9 A 11:58

From: Bob Peccole <bob@peccole.lvcoxmail.com>
Sent: Tuesday, July 09, 2019 11:03 AM
To: 'cgoodman@lasvegasnevada.gov'
Cc: 'mfiore@lasvegasnevada.gov'; 'ccrear@lasvegasnevada.gov'; 'santhony@lasvegasnevada.gov'; 'odiaz@lasvegasnevada.gov'; 'bknudsen@lasvegasnevada.gov'; 'vseaman@lasvegasnevada.gov'
Subject: Open Space Ordinance

To Mayor Goodman and Councilmen:

I am writing this email to you so I may voice my concerns regarding Councilman Fiore's attempt to repeal the Open Space Ordinance recently passed by the City Council.

Councilman Fiore has made it clear that she believes the Open Space Ordinance only affects her mentor Yohan Lowie and his entities. She is obviously attempting to repeal the Ordinance to benefit Mr. Lowie in spite of the fact that the Ordinance was passed to give some protection to all citizens of Las Vegas that find themselves as residents of open space land that is part of their communities. Councilman Fiore, in an open Council meeting claimed that only the Badlands Golf Course fell within the requirements of the Ordinance. This was not a true statement. Golf Course communities exist throughout the City including Canyon Gate, Painted Desert, Los Prados and Silverstone. All of these golf courses, including other types of open space within a developed community, are subject to greedy developer take over with the intent to develop high density residential. This is what has occurred with the Badlands Golf Course and the Silverstone Golf Course.

The problem created by these types of take overs is not only occurring in the City of Las Vegas, but also in other parts of Clark County and the country. Other Cities and States have addressed the concerns created by these take overs with Ordinances and Statutes similar to the Open Space Ordinance adopted by the City of Las Vegas. These laws are intended to give protection to homeowners affected by greedy take overs and to make the takeover developers meet proper standards imposed by the laws.

Councilman Fiore's attempt to repeal the City Ordinance is misguided. She is asking the Council to disregard common sense legislation that has been adopted throughout the Country including the City of Henderson. Councilman Fiore does a great disservice to all of the people of Las Vegas including the residents that live in her ward on the Silverstone Golf Course. Councilman Fiore has always taken the position that because the Silverstone residents have a restrictive covenant against development of the golf course, they are not the same as the Badlands. However, she forgets to inform her constituents that a bankruptcy proceeding can eliminate the restrictive covenant. The only protection that her constituents have is the City Open Space Ordinance. Why would she turn her back on her constituents in favor of one developer?

As Mayor and Councilmen it is incumbent upon you to read the Ordinance and to understand why passing of these types of laws is so important to other cities and states throughout the country. The Open Space Ordinance that has been adopted by the City is a combination of thorough research by the City Attorney's Office into the different ordinances and statutes adopted by other cities and states, including Henderson. The Ordinance is not a one shot attempt to stop Yohan Lowie and his entities, but instead is a well-reasoned method of addressing the Open Space issue within the City of Las Vegas. To repeal the existing ordinance is not the function of those on the Council that are representing the people.

Bob Peccole

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2019 JUL -9 P 3:10

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To vseaman@lasvegasnevada.gov

CC jsandecki@LasVegasNevada.GOV

BCC

Bill 2019-19 Repeal Vote

I adamantly oppose Councilwoman Fiore's proposal to repeal the open space ordinance that applies to golf courses and open space within the City of Las Vegas,

LoisAnn M Prock

Send

LuAnn D. Holmes

From: Larry Sadoff <larrysadoff@cox.net>
Sent: Monday, July 8, 2019 8:49 AM
To: Cedric Crear
Cc: LuAnn D. Holmes; Tanya Jackson-Renter
Subject: Fwd: Bill 2019-19- Repeal Vote Comments

EXTERNAL EMAIL

I am writing to urge you to continue to support the referenced ordnance as it now written and to vote against the upcoming motion to repeal it. As you know because you voted for its passage, this comprehensive ordnance is well researched and well thought out; and most importantly, it is equally fair to all who are directly or indirectly impacted by new development in our community. This ordnance provides a framework to consider the rights of homeowners impacted while allowing for planned use of undeveloped properties throughout Las Vegas and in particular in open spaces. Development and growth is a good thing for all of Las Vegas- but it must be managed properly, taking into account the interests of all impacted. This can be accomplished with the process recently passed by the City Council but is now under attack to be repealed.

>

> You will hear many arguments for repeal. The real underlying reason to push for repeal is to allow special interest groups to circumvent and short-cut an equitable and well thought out process that is fair and does not favor one group at the expense of another. This is wrong.

>

> We finally have an excellent process in place- do not repeal it.

>

> Please record these comments and include them in the official record of the upcoming 15 July Recommending Committee Meeting an the 17 July City Council Meeting.

>

> Sincerely,

>

> Larry Sadoff

>

> Sent from my iPad

LuAnn D. Holmes

From: Scherer, David <dscherer@ngkf.com>
Sent: Tuesday, July 9, 2019 12:16 PM
To: Stavros Anthony
Cc: Becky Skouson; LuAnn D. Holmes
Subject: BILL 2019-19 - Repeal Vote Comments
Attachments: David Scherer.vcf

EXTERNAL EMAIL

Dear Council Member Anthony,

I strongly oppose the repeal of the Open Space Ordinance proposed by Council Member Fiore. The repeal could potentially damage hundreds of home owners across Southern Nevada, who are part of communities with golf courses and open spaces. Home owners buy homes with the expectation of these open areas remaining consistent with their current or similar use.

Please record my comments for the Recommended Meeting on July 15, 2019 and City Council Meeting on July 17, 2019

David R. Scherer
Executive Managing Director
Newmark Knight Frank
3930 Howard Hughes Parkway, Suite 180
Las Vegas, NV 89169
T 702.405.1700
dscherer@ngkf.com
Save a Tree - Think Before You Print. Sustainably Newmark Knight Frank.

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Stacey Campbell

From: Esthefany Arochi
Sent: Tuesday, July 9, 2019 4:09 PM
To: Stacey Campbell
Subject: FW: open space ordinance

From: maureen dobler schuette <maureendoblerschuette@gmail.com>
Sent: Tuesday, July 9, 2019 4:07 PM
To: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>; Esthefany Arochi <earochi@LasVegasNevada.GOV>
Subject: open space ordinance

EXTERNAL EMAIL

Hello!

Please DO NOT support the repeal of the open space ordinance....

Green and raw desert space within the city is of great value for people and creatures that live among us....Not all area have to be full of concrete and density..

Just like there is not new beach front, river front or mountain view property being made, open space is a rarity today in our developed world...

Do not support this disgusting move by MS. Fiore (who is not the representative in this area) to placate those who would gain from this desecration of land...and then those greedy people would just further and further out to destroy more virgin lands...

Also, This would decimate the property values of the citizens who purchased the surrounding property IN GOOD FAITH..

Thank you for your consideration.

Maureen Dobler Schuette
308 Bays Water Court
Las Vegas, Nevada 89145
503.422.8809

Stacey Campbell

From: Esthefany Arochi
Sent: Tuesday, July 9, 2019 9:54 AM
To: City Clerk, Deputies
Subject: FW: Bill 2019-19- REPEAL VOTE COMMENTS

FYI

From: Joan Silverstein <midnightarnold@gmail.com>
Sent: Tuesday, July 9, 2019 9:32 AM
To: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>
Cc: Esthefany Arochi <earochi@LasVegasNevada.GOV>; idholmes@lasvegasnevada.gov
Subject: Bill 2019-19- REPEAL VOTE COMMENTS

EXTERNAL EMAIL

Please record our comments for the Reecommending Meeting on July 15 and City Council Meeting on July 17

For most of the first 18 years that we lived in Queensridge, we had a wonderful green space in the Badlands Golf Course. When we drove in the gate to Queensridge, we saw an expanse of green lawns and lush trees. We saw ponds filled with ducks and geese who used the ponds for themselves and their babies as a refuge until they flew each winter to a warmer climate, returning in the Spring. Although the golf course was always busy with golfers, we could stroll along the course's roads at any time. We live several blocks from the golf course, but it was always a source of enjoyment and restoration for us and was a symbol of the heart of Queensridge.

Since the development of Badlands began, the area has changed dramatically. The ponds have been drained and the birds have left. The grass has not been watered and has dried to brown, and the remaining dirt has converted to dust, desert shrubs, and hard dried ground. Many of the trees have been cut down to stumps. Now, when we enter the gate or walk on the road outside the golf course, we are confronted with huge signs warning in large red letters about no trespassing and no dumping with threats of prosecution..

Even if the developer was allowed to build, we have been told that he could build on the golf course land for at least 20 years, so that the disruption in the community from the construction could continue for decades. At the end of the process we would have lost our open green space, to be replaced by houses and apartments.

The only hope we have to restore any kind of normalcy is that the Open Space Ordinance remain in place. Now we are told that the City Council is considering repealing the ordinance. This will affect not just us in

Pg 1 of 2

Queensridge, but other communities as well.

When the City Council is considering whether or not to repeal the Open Space Ordinance, please do not allow this disruption and ugliness to continue here or be inflicted on other areas of the Las Vegas community. If you are trying to improve the quality of life in Las Vegas to maintain a world class community, your planning must consider the restorative open green spaces and the emotional, cognitive, and physical health that nature provides to all of us. These green spaces should not just be limited to parks we can visit, but should be included within each development where ever possible.

Thank you for your consideration of this very serious matter.

Joan Silverstein and George Foldesi
916 Granger Farm Way
Las Vegas, NV 89145

Pg. 2 of 2

Stacey Campbell

From: Anne Smith <anne@smithculp.com>
Sent: Sunday, July 7, 2019 5:13 PM
To: Carolyn G. Goodman; Esthefany Arochi
Cc: LuAnn D. Holmes
Subject: ORDINANCE BILL 2019-19 REPEAL COMMENTS

EXTERNAL EMAIL

Dear Mayor Goodman (copy to City Clerk):
I am writing to you regarding the Items on Bill 2019-19 on the Recommending Committee 7/15/19 meeting agenda and the City Council 7/17/19 meeting agenda which affect all City Wards, especially Ward 2 and specifically the San Michelle South area of Queensridge, which would be disproportionately affected if the developer ever got approval to build high-density condos on the Badlands open space behind Ravel Court single family homes.

1. Having followed the development of this Ordinance since the beginning, I was shocked to see this proposal to REPEAL the Ordinance governing the repurposing of certain golf courses and open space after all the months of work in 2018 to develop a version that garnered broad support from key stakeholders (including residents city-wide, Southern NV Homebuilders, and most Unions). The ordinance for the repurposing (aka development) of dedicated open space was really appreciated by residents in neighborhoods at risk of losing their decades' long access to open space, subject to devastating property value loss and to serious overload of schools, roads and infrastructure. Adopting an ordinance based on other affected jurisdictions' ordinances was a forethinking action taken by the City Council in 2018. I realize that you did not support and voted against this ordinance but **Repealing this ordinance now seems tantamount to broadcasting the message to developers that it is OPEN SEASON on any OPEN SPACE within the CITY OF LAS VEGAS!**

2. I also don't understand why this is happening now when the 2050 Master Plan development is underway? I have attended open houses to give input and one of the main category of goals is **OPEN SPACE!** Public comments and voting on priorities including Open Space and other goals is still open online through the end of July, 2019. Then the **2050 Master Plan is supposed to be adopted by the end of 2019, so this looks like the Council is Putting the Cart Before the Horse to Repeal this Ordinance/Bill 2019-19!**

It seems that the new Council Members are still getting up to speed on this Open Space Ordinance history and development and so I question why this vote is being expedited and who immediately benefits from this quick action. Certainly not any of the neighborhoods with open space at risk to development. This is such a critical issue for all Wards, not just the ones that have been affected so far which precipitated the adoption of the Open Space ordinance in the first place.

I urge you to **VOTE NO on the Repeal of Bill 2019-19** and encourage your fellow Council Members to do same.

Thank you.

Anne Smith
653 Ravel Court
Las Vegas, NV 89145
702-343-7850 c.

Stacey Campbell

From: Jules Smith <julessmith1@mac.com>
Sent: Monday, July 8, 2019 8:53 AM
To: LuAnn D. Holmes
Subject: BILL2019-19 REPEAL VOTE COMMENTS

EXTERNAL EMAIL

1) As a longtime homeowner and resident in Queensridge we have watched our neighborhood(s) continually put on the chopping block, and neighbors pitted against each other. While the elected officials in the City Council and in Ward 2, may have changed, the sentiment of an overwhelming number of homeowners has not.

2) We have not even seen proposals for it's implementation and it is not in the best interest of the community to repeal what the residents have fought so hard and so long to pass.(literally YEARS)

3) Las Vegas is surrounded by mountains and once open space is converted and developed there is no turning back .At what cost do we infringe on the livability and sustainability of our city?
How do you sell the city to future residents when you have squeezed out our open spaces, parks and recreation ? Is it fair to tax paying residents of Las Vegas that the only golf is either expensive privately owned courses or tourist centric hotel owned courses? This particular zoning ordinance may pertain to Ward 2 but it's repeal would have an impact on all golf course communities, especially in light of the upcoming vote regarding the zoning/ rezoning changes pertaining to ALL Master Planned Communities!

4)Therefore we respectfully request that the open space Ordinance pertaining to the repurposing of certain Golf Course and open space remain in effect.

Jules Smith
julessmith1@mac.com
702-592-4631

Stacey Campbell

From: Esthefany Arochi
Sent: Tuesday, July 9, 2019 3:26 PM
To: Stacey Campbell
Cc: Office of the Mayor
Subject: FW: BILL 2019-19 - REPEAL VOTE COMMENTS

FYI

From: Sandra Stacey <jrssstacey@aol.com>
Sent: Tuesday, July 9, 2019 3:20 PM
To: Office of the Mayor <officeofthemayor@lasvegasnevada.gov>
Cc: Esthefany Arochi <earochi@LasVegasNevada.GOV>
Subject: BILL 2019-19 - REPEAL VOTE COMMENTS

EXTERNAL EMAIL

Dear Mayor Goodman,

I am writing to ask you to vote **NO** for a repeal on Bill 2019-19.

The Open Space Ordinance should be kept as is to help protect our neighborhoods and communities.

Thank you for your attention to this matter,

Sandra Stacey
308 Kingsclear Court
Las Vegas, NV 89145

RECEIVED
CITY CLERK

2019 JUL -9 P 1:57

From: **tmsteffora** tmsteffora@cox.net
Subject: Bill 2019-19 - Repeal Vote
Date: July 9, 2019 at 1:35 PM
To: cgoodman@lasvegasnevada.gov
Cc: earochi@LasVegasNevada.GOV

I FIRMLY oppose Councilwoman Fiore proposal to repeal the open space ordinance pertaining to the repurposing of certain golf courses and open space.

Tania Steffora
tmsteffora@cox.net

LuAnn D. Holmes

From: Jenny Twisselman <jennytwizz@gmail.com>
Sent: Tuesday, July 9, 2019 3:09 PM
To: Victoria Seaman; Jordan Sandecki; LuAnn D. Holmes
Subject: BILL 2019-19 - REPEAL VOTE COMMENTS

EXTERNAL EMAIL

Dear Councilman Seaman,

I am a newer resident of Queensridge neighborhood. My family and I moved here for work last year and have fallen in love with Las Vegas. Las Vegas and the Queenridge community quickly become home. My children have flourished here, and I hope never to leave.

However, I am concerned about the property that lies within the neighborhood - formerly, Badlands golf course – currently they unmaintained piece of private property. I fully support any move that protects open/recreational spaces within neighborhoods, especially those that were once used for recreation. The voices of the residents and community should carry more weight than a single developer seeking to earn a profit. There are numerous opportunities all around Vegas for development, but neighborhood recreational areas should not be one of those.

Repurposing recreational spaces for new, more appealing forms of recreations is acceptable. Purchasing land, intentionally neglecting it and leaving it in such a condition that it appears to be maliciously vandalistic unacceptable. Please consider the long-term investment in recreation and community that this space can provide and support any effort to preserve this space.

Thank you,

Jennifer M. Twisselman

LuAnn D. Holmes

From: blaine walker <bewalker@yahoo.com>
Sent: Tuesday, July 9, 2019 11:51 AM
To: Carolyn G. Goodman
Cc: Esthefany Arochi; LuAnn D. Holmes
Subject: BILL 2019-19 - REPEAL VOTE COMMENTS

EXTERNAL EMAIL

Dear Ms. Goodman,

I'm writing to let you know that I oppose the proposal to repeal the Open Space Ordinance pertaining to the re-purposing of certain golf courses and open space. The Ordinance had broad support and was previously approved by the council 4:2. The ordinance ensures responsible development and protections for property owners in ALL neighborhoods in the City. The City Council should protect ALL neighborhoods from "bait and switch" tactics of developers and real estate agents that use open space/golf courses as bait to sell their developments at premium prices and then later switch things up by developing the open space/golf courses irresponsibly with the purpose to maximize profits, not for improving the quality of life in our neighborhoods. Please do not support the proposal to repeal of the Open Space Ordinance because the ordinance ensures responsible development and protections for the quality of life in ALL neighborhoods in the City.

(Please record my comments for the Recommending Meeting on July 15 and City Council Meeting on July 17, 2019.)

Thank you,

Blaine Walker
Ward 2
9729 Queen Charlotte Drive
Las Vegas, NV 89145

Stacey Campbell

From: Carolyn G. Goodman
Sent: Tuesday, July 9, 2019 3:34 PM
To: LuAnn D. Holmes
Cc: Stacey Campbell
Subject: RE: The Open Space Ordinance pertaining to the repurposing of certain golf courses and open space (that Councilman Steve Seroka championed and the Council approved 4:2)

Please.

CAROLYN G. GOODMAN, MAYOR
Las Vegas City Hall
495 S. Main Street
Las Vegas, NV 89101

(702)229-6241

City Hall is closed on Fridays

From: LuAnn D. Holmes <ldholmes@LasVegasNevada.GOV>
Sent: Tuesday, July 9, 2019 3:33 PM
To: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>
Cc: Stacey Campbell <slcampbell@LasVegasNevada.GOV>
Subject: RE: The Open Space Ordinance pertaining to the repurposing of certain golf courses and open space (that Councilman Steve Seroka championed and the Council approved 4:2)

Thank you Mayor. We have Daryl Walter's email that will be submitted as part of the record. However, do you want us to also submit your response as part of the record?

Let us know. Thanks.
LuAnn (and Stacey because I am about to leave on vacation for a week)

From: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>
Sent: Tuesday, July 9, 2019 3:26 PM
To: LuAnn D. Holmes <ldholmes@LasVegasNevada.GOV>
Cc: Brad Jerbic <bjerbic@LasVegasNevada.GOV>
Subject: FW: The Open Space Ordinance pertaining to the repurposing of certain golf courses and open space (that Councilman Steve Seroka championed and the Council approved 4:2)

CAROLYN G. GOODMAN, MAYOR
Las Vegas City Hall
495 S. Main Street
Las Vegas, NV 89101

(702)229-6241

City Hall is closed on Fridays

Pg 1 of 4

From: Carolyn G. Goodman
Sent: Monday, July 8, 2019 11:47 AM
To: Daryl <darylw1@cox.net>
Cc: Jorge Cervantes <JCervantes@LasVegasNevada.GOV>; Robert Summerfield <rsummerfield@LasVegasNevada.GOV>; Lora Kalkman <lkalkman@LasVegasNevada.GOV>; Zachary Bucher <zbucher@LasVegasNevada.GOV>
Subject: RE: The Open Space Ordinance pertaining to the repurposing of certain golf courses and open space (that Councilman Steve Seroka championed and the Council approved 4:2)

Thank you, Mr. Walter, for contacting me. As a government representative of our City, a 55 year resident of Las Vegas, I couldn't agree with you more about the role of elected officials and their duties to citizenry and community. My personal views are always to research the law, learn accurate facts, hear from both sides of an issue, consult with experts and concerned citizens, and then make the best decision possible to serve in the interest of the COMMON GOOD.

First let me share with you the Council's continuing desire and focus to creating more parks and recreational facilities and areas that all of our community can enjoy, equitably. We hold these initiatives as pre-eminent as we assess and plan for City spaces in a short or long-range view.

In specifics to your concern of one area in the City, the Badlands Golf Course, for over four years that area has been of significant consideration, dialogue and evaluation. It remains of great concern to me and the Council as we look into the project overall and ALSO how its challenges could set precedent for other "open spaces." The Badlands is ONLY one of several open-space areas--each has its own differing considerations—and thus a one-size-fits-all ordinance results in additional considerations and issues.

This past year's Open Spaces Ordinance created additional encumbrances and obstacles very specifically for THE developer to have to meet specifically on the Badlands project. What was not clearly considered simultaneously was how such an ordinance would affect other...and any...open-space project developments around the City.

What was also not considered or discussed at large was what triggers were already in place and had been for decades to keep review and permission-to-move-forward collared. These existing triggers had always required developers to get traffic, flood control, CCSD, public meetings, etc., clearance before permission to move forward (step by step) was granted for their projects. Thus almost the entirety of the OS Ordinance is redundant, simply getting further down in the weeds for government involvement, and unnecessarily adding exorbitant costs and time considerations.

Repealing the Open Spaces allows for further considerations and dialogue to come up with a strong, better, fairer review as a positive standard to establish a healthy precedent that will work for all legal and equitable implementation.

Thank you for caring and being involved for we, the residents and businesses ARE THE CITY!

Carolyn

Carolyn G. Goodman
Mayor
Office of the Mayor
702-229-6241
495 S. Main St. | Las Vegas, NV 89101

Pg 2 of 4

CAROLYN G. GOODMAN, MAYOR
Las Vegas City Hall
495 S. Main Street
Las Vegas, NV 89101

(702)229-6241

City Hall is closed on Fridays

From: Daryl <darylw1@cox.net>
Sent: Sunday, July 7, 2019 3:31 PM
To: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>
Subject: The Open Space Ordinance pertaining to the repurposing of certain golf courses and open space (that Councilman Steve Seroka championed and the Council approved 4:2)

EXTERNAL EMAIL

Ms. Goodman:

It is of grave concern to me when elected officials align themselves with private interests and agendas instead of representing the good of the community. In this instance I believe that is what you have done in continuing to support the unbridled development of the once Badlands Golf Course in spite of overwhelming community outcry against such development. It is disappointing as a member of the community who will be gravely affected by a decision to allow the lack of open space between existing developments which were valued based on the proximity to a golf course which is no longer. As an architect I believe that it is vital that the community values it's open spaces and also values the needs of its community above single interest developers. As it pertains to the open space ordinance which Steve Seroka was able to get passed I have the following concerns:

- Why is this ordinance being repealed before it has even been implemented?
- Why are hard fought for protections for affected neighborhoods all over the City under attack?
- What is driving the rush to repeal? why are the 3 new Councilmembers (Brian Knudsen, Olivia Diaz and Victoria Seaman) being asked to take this vote after being in office only 2 weeks?
- Are there development applications for repurposing open space just waiting in the wings for the ordinance to be repealed?
- When the ordinance was adopted, Councilmembers Seroka, Crear, Tarkanian and Coffin voted to pass the ordinance; the Mayor and Councilwoman Fiore voted against.

I urge the Council to vote against the repeal of the Open Space Ordinance as it is a fair and rational step towards the development of communities where golf courses have been closed and are slated for development. Your decision on this is key to the successful development and implementation of standards of such spaces.

Respectfully,

Daryl Walter

Pg 3 of 4

Daryl Walter Architect Inc.
M – 702.250.5593
Email – darylw1@cox.net

pg 4 of 4

RECEIVED
CITY CLERK

2019 JUL -9 P 4:56

Verlaine Court
Las Vegas, NV

Subject line: Bill 2019– 19– Retail Vote comments.

Dear Council members and staff.

As a homeowner in the Queensridge community, I am in support councilman Steve Soroka's Open space ordinance. This was approved by four to two vote. We cannot continue to go backwards with what you have already approved. Please do not repeal this ordinance.

Our little community has been hurt badly because of the property value declines, stress of pending lawsuits, loss of a beautification because the golf course is now wasteland and safety factors due to the fact that the rats and other wildlife is now coming into the houses from the wasted golf course.

Please let it be known that the land that the developer bought should have been planned out fully before execution and destruction of the golf coarse in my opinion.

I do not support councilperson Fiore's plan to repeal above mentioned Ordinance. Thank you for your consideration.

K. Randy Yeary

Stacey Campbell

From: Philip Kantor <prsak@aya.yale.edu>
Sent: Wednesday, July 10, 2019 6:50 AM
To: Carolyn G. Goodman; Michele Fiore; Stavros Anthony; Cedric Crear; Olivia Diaz; Brian Knudsen; Victoria Seaman
Cc: Esthefany Arochi; Felecia Dorchuck; Becky Skouson; Tanya Jackson-Renter; zgomes@lasvegasnevada.gov; Susan Finucan; Jordan Sandecki; LuAnn D. Holmes
Subject: BILL 2019-19-REPEAL VOTE COMMENTS

EXTERNAL EMAIL

Dear Council Members;

We urge you to pass the resolution now being offered by Councilwoman Fiore. We live directly on what was formerly the Badlands golf course. The plan to develop the space by the current owner was completely acceptable and, indeed, more desirable than having the land as a golf course was, and infinitely better than it is today. The developer has been left in limbo. The land is now a wasteland and desirable to no one but stray coyotes and members of the malicious public, all of whom are now directly at our back door. The open space is unsightly, and an economic burden to the city since it is completely unproductive. We earnestly believe that this has been the product of corruption, for which homeowners are paying the price. It is false that councilman Steve Seroka "championed" an ordinance that is popular with homeowners' associations, homebuilders, or unions. On the contrary, these groups were and are adamantly opposed to the "open space ordinance," and the sooner it is repealed, the better off we will be, perhaps even with improved home prices. Time is of the essence, because no one knows when the current economic expansion will end. If this horrible open space ordinance is allowed to continue until the economy turns, we will enter an endless cycle of doom in which we will never obtain value for our house. Please vote yes on Councilwoman Fiori's repeal initiative.

Respectfully,

Philip A. Kantor
9408 Provence Garden Lane
Las Vegas, NV 89145

Submitted after final agenda

Item 61

LuAnn D. Holmes

From: chad stratton <cstratton5@hotmail.com>
Sent: Wednesday, July 10, 2019 1:33 PM
To: Victoria Seaman
Cc: Jordan Sandecki; LuAnn D. Holmes
Subject: SUPPORT TO REPEAL OPEN SPACE ORDINANCE

EXTERNAL EMAIL

Hello,

I am writing in **SUPPORT TO REPEAL** the Open Space Ordinance that may possibly voted on in the July council meeting. Thank you!

Chad Stratton
9212 Worsley Park Pl
Las Vegas, NV 89145

702-379-5452

LuAnn D. Holmes

From: Michael Johnson <mlj858@gmail.com>
Sent: Tuesday, July 9, 2019 12:33 AM
To: Victoria Seaman; Jordan Sandecki
Cc: LuAnn D. Holmes
Subject: Bill 2019-19 Repeal Vote Comments

EXTERNAL EMAIL Dear Councilwoman Seaman My wife and I are residents of Ward 2 in Las Vegas and offer the following comments in opposition to the potential repeal of the Open Space Ordinance ("OSO"). We respectfully requests that our comments be recorded for the July 15, 2019 Recommending Meeting as well as the July 17, 2019 City Council Meeting. It is our view that any repeal of the OSO would be short sighted and not in the best interest of city residents and the community. By requiring land developers to implement impact studies, among other requirements, prior to development plan submissions, furthers "full transparency" in real estate development projects and promotes the health, safety and welfare of all within the community. The OSO also protects the property values of impacted homeowners. We understand that this is also the view taken by many home builders in Las Vegas as well as supported by most unions. In closing, we vehemently object to any repeal of the OSO. Respectfully submitted, Michael and Andrea Johnson 301 Kingsclear Ct. Las Vegas, NV 89145

Submitted after final agenda
Item 61

LuAnn D. Holmes

From: Camille Leavitt <camilleleavitt@aol.com>
Sent: Friday, July 12, 2019 8:50 AM
To: Victoria Seaman
Cc: Jordan Sandecki; LuAnn D. Holmes; Stacey Campbell
Subject: BILL 2019-19 - REPEAL VOTE COMMENTS - JULY 15, 2019 RECOMMENDING COMMITTEE MEETING AND JULY 17, 2019 CITY COUNCIL MEETING

EXTERNAL EMAIL

TO: Mayor Carolyn Goodman
Mayor Pro Tem Michelle Fiore
Councilman Stavros Anthony
Councilman Cedric Crear
Councilwoman Olivia Diaz
Councilman Brian Knudsen
Councilman Valerie Seaman

FROM: Camille and Lawrence R. Leavitt
camilleleavitt@aol.com
308 Windfair Court
Las Vegas, NV 89145 (Ward 2)

RE: **BILL 2019-19 - REPEAL OF OPEN SPACE ORDINANCE VOTE COMMENTS**
PLEASE ENTER INTO THE RECORD FOR MEETING OF THE RECOMMENDING
MEETING ON JULY 15, 2019 AND
CITY COUNCIL MEETING ON JULY 17, 2019

DATE: July 9, 2019

Pg 1 of 3

We are writing you today in **OPPOSITION** to the proposed reconsideration and/or repeal of the Open Space Ordinance which is to be presented at the above meetings, July 15 and 17, 2019, by Councilwoman Michelle Fiore.

As our representative in Ward 2, we implore you to vote "No" on this item. We live in Queensridge and hope that you will support your constituents who live in here and have been going through trying times over the last 2 years with the issues concerning the Badlands golf course.

As you know, this ordinance was passed by a 4-2 vote and has not yet even been implemented. The 2 dissenting votes were by Mayor Goodman and Councilwoman Fiore. This ordinance had broad support from the many communities with open space/golf courses, the Southern Nevada Homebuilders, and most of the unions here in Las Vegas.

Our questions to you, Mayor and City Council are:

Why is Councilwoman Fiore bringing this ordinance back up for reconsideration, to repeal it, before it has even been implemented?

Why are such hard fought protections for affected neighborhoods all over the City of Las Vegas under attack?

What is the rush to repeal the Open Space Ordinance?

Why are our 3 new council members being asked to take this vote after being in office only 2 weeks?

Are there development applications for repurposing open space waiting in the wings for the ordinance to be repealed?

We would appreciate your consideration on this item and would appreciate and answer to ALL OF THE ABOVE questions.

We urge you to vote to ensure the most responsible development and to protect the quality of life in ALL neighborhoods in the City in which we love and choose to live and raise our families.

We live in Ward 2, and Councilwoman Victoria Seaman is our new council representative. We wish her well and hope that she will be fair to all of the residents whom she now represents.

WE URGE YOU TO VOTE "NO" TO RECONSIDER AND/OR REPEAL THE OPEN SPACE ORDINANCE!!

Thank you.

3 of 3

Stacey Campbell

From: Esthefany Arochi
Sent: Monday, July 15, 2019 8:20 AM
To: Stacey Campbell
Subject: FW: Repeal open space ordinance

From: Fred Sadri <fredsadri1@yahoo.com>
Sent: Saturday, July 13, 2019 10:37 AM
To: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>; Esthefany Arochi <earochi@LasVegasNevada.GOV>
Cc: Fred Sadri <fredsadri1@yahoo.com>
Subject: Repeal open space ordinance

EXTERNAL EMAIL

Dear Mayor,

I Have been a residence of Las Vegas since 1968. I know the Goodman family and your wonderful husband for a long time.

Repealing the open space ordinance will have a negative effect to our community and people lose their respect and faith towards the City Hall. **The current ordinance was approved by city council**. Please do not try to change the current ordinance and not to let the developers to control the City Hall

Fred Sadri
A long time residence of las Vegas

Stacey Campbell

From: Esthefany Arochi
Sent: Monday, July 15, 2019 8:18 AM
To: Stacey Campbell
Subject: FW: Ordinance repeal / Amend Open Space
Attachments: City Council Ordinance.docx

From: Dale Roesener <daleroesener@gmail.com>
Sent: Sunday, July 14, 2019 12:31 PM
To: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>; Esthefany Arochi <earochi@LasVegasNevada.GOV>
Subject: Ordinance repeal / Amend Open Space

EXTERNAL EMAIL

Please note the attached letter

Pg 1 of 3

July 14, 2019

Mayor, Carolyn Goodman
Mayor Pro Tem, Michelle Fiore
Councilman, Stavros Anthony
Councilman, Cedric Crear
Councilwoman, Olivia Diaz
Councilman, Brian Knudsen
Councilwoman, Valerie Seaman

RE: Councilwoman Fiore's effort to repeal City Ordinance pertaining to the Repurposing of Golf Courses and Open Space as well as amend the definition of "Open Space".

Dear Members of the City Council,
The purpose of this letter is to respectfully request that you do NOT vote to repeal the current City Ordinance pertaining to the Repurposing of Golf Courses and Open Space or vote to amend the definition of "Open Space".

My wife and I are residents of Queensridge. We have had the stressful and disappointing experience over the past four years dealing with various interpretations of the city codes as they relate to repurposing golf courses and designated "Open Space". Hundreds of thousands of dollars have been spent reviewing documents and the Master Plan relating to Queensridge. There is compelling evidence that entitlements to develop must be granted by the City of Las Vegas. The current ordinance provides a reasonable path and direction to work toward an outcome that takes into account all of the stakeholders, i.e., (Emergency services, Traffic, Schools, the Developer and the Residents). Various communities in the U.S., as well as the City of Henderson, Nevada have adopted similar ordinances. Given the lack of progress with respect to Badlands and the amount of litigation, it is apparent

that direction and expectations must be in place. The approved Ordinance provides both direction and expectations.

We at Queensridge have suffered greatly because there was no Ordinance in place. Please do not repeal the Ordinance. We believe the Ordinance helps all of the citizens of Las Vegas. The City of Las Vegas makes a grave mistake when not considering the integrity of our community.

Regarding the amendment of definition of "Open Space", my wife and I purchased a building lot adjoining land that is designated PROS, Parks, Recreation, Open Space. We built our dream home with the expectation that the land designations around us would be respected and honored. Please do not pull the rug out from under us by changing the definition of "Open Space" or otherwise compromising our position.

Sincerely,
Elaine Wenger- Roesener
Dale Roesener

Stacey Campbell

From: Esthefany Arochi
Sent: Monday, July 15, 2019 1:15 PM
To: Stacey Campbell
Subject: FW: Open Space Ordinance

From: Ann Simmons Nicholson <ann@simmons-group.com>
Sent: Monday, July 15, 2019 12:59 PM
To: Carolyn G. Goodman <cgoodman@LasVegasNevada.GOV>
Cc: Esthefany Arochi <earochi@LasVegasNevada.GOV>
Subject: Open Space Ordinance

EXTERNAL EMAIL

Honorable Mayor Goodman,

I am writing in continued support of the Open Space Ordinance that I understand may be considered for repeal. My family and I are residents of Queensridge. We have been negatively impacted by the controversy surrounding the Badlands proposed development. I firmly believe the Open Space ordinance approved by the City Council is our best hope of maintaining the beauty that attracted us to move within the City and Queensridge.

I am a member of your Advisory Council for Las Vegas LIFE. I would ask that you keep this ordinance in place as it helps make the Las Vegas LIFE desirable for all community members.

Thank you for your consideration.

Respectfully,
Ann Simmons Nicholson

simmons group

Ann Simmons Nicholson / CEO
ann@simmons-group.com / O: 702-492-5310 / C: 702-493-5500
6841 S. Eastern Ave., Suite 103, Las Vegas, NV 89119
simmons-group.com

LuAnn D. Holmes

From: Vincent Latona <vlatona@me.com>
Sent: Friday, July 12, 2019 11:07 AM
To: Jordan Sandecki
Cc: LuAnn D. Holmes
Subject: RETAIN the Lawfully passed Open Space Ordinance

EXTERNAL EMAIL

I am writing to express my support to RETAIN the Open Space Ordinance pertaining to the repurposing of certain golf courses and open space (that the Council approved 4:2) which is now being is being challenged. Clearly this is a political 'hot button' however it has an immediate and devastating effect on the homeowners of this city.

REPEALING the ordinance at the next Council Meeting would OPPOSE the broad support it has from communities with open space/golf courses, the Southern Nevada Homebuilders, and further, most of the Unions.

I respectfully urge you to vote AGINST this repeal.

Sincerely,

Vincent F. Latona
9712 Winter Palace Drive
Las Vegas, NV 89145

LuAnn D. Holmes

From: VALENTINA TORTOMASI <vtortomasi@me.com>
Sent: Thursday, July 11, 2019 11:38 PM
To: Jordan Sandecki
Cc: LuAnn D. Holmes
Subject: Repeal of Open Space Ordinance

EXTERNAL EMAIL

Hello,

I am in **support of Repealing the Open Space Ordinance**. As a homeowner in Tudor Park at Queensridge, I feel the Badlands Golf Course should be developed by the new owner to improve the community and help raise our property values. The board members of Queensridge HOA have created more problems for the community by resisting and fighting any options that the developer has presented. They refuse to consider any plans for improvement and fail to realize that it will never be a golf course again as it went under due to lack of memberships and funds to maintain it.

Please consider my opinion when voting on this crucial issue.

Thank you,

Valentina Tortomasi
9168 Worsley Park Pl.
Las Vegas, NV 89145

702-496-9240

Submitted after final agenda

Item 61

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
62

DEPARTMENT: City Attorney **DISCUSSION**
DIRECTOR: Brad Jerbic

SUBJECT:
RECOMMENDING COMMITTEE: BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

Bill No. 2019-21 - For possible action - Amends LVMC Chapter 9.38 to establish an additional City procedure for retrieving shopping carts and laundry carts that have been abandoned or used without authorization. Sponsored by: Councilman Cedric Crear

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
This bill will amend LVMC Chapter 9.38 to establish an additional City procedure for retrieving shopping carts and laundry carts that have been abandoned or used without authorization. The existing Code procedure has not proved useful or responsive. The proposed additional procedure will clarify the City's role in retrieving carts and provide a simplified procedure for merchants who wish to use it in order to recover their carts.

RECOMMENDATION:
ADOPTION at the 7/17/2019 City Council Meeting pursuant to the 7/1/2019 Recommending Committee Meeting

First Reading – 6/19/2019 First Publication – 7/3/2019

BACKUP DOCUMENTATION:
1. Bill No. 2019-21

BILL NO. 2019-21

ORDINANCE NO. _____

AN ORDINANCE TO AMEND LVMC CHAPTER 9.38 TO ESTABLISH AN ADDITIONAL CITY PROCEDURE FOR RETRIEVING SHOPPING CARTS AND LAUNDRY CARTS THAT HAVE BEEN ABANDONED OR USED WITHOUT AUTHORIZATION, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Cedric Crear

Summary: Amends LVMC Chapter 9.38 to establish an additional City procedure for retrieving shopping carts and laundry carts that have been abandoned or used without authorization.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 9, Chapter 38, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.38.010: As used in this Chapter, the following terms shall have the meanings ascribed to them:

"Authorized official" means any person designated and empowered by ordinance to abate nuisance activities, and any person authorized by the City Manager to enforce the provisions of this Chapter.

"Laundry cart" means a basket or similar device which is mounted on wheels and is generally used in a laundry or establishment for dry cleaning to transport fabrics and the supplies necessary to clean or launder them.

"Parking area" means a parking lot or other property provided by a retailer for use by a customer to park an automobile or other vehicle. The parking area shall also include the entire parking area used by a multi-store complex or shopping center wherein a retailer is located.

"Public property" includes, but is not limited to, all the area dedicated to or in public use or an easement granted for public street purposes, parks, alleys, sidewalks, flood control channels and other property owned or occupied by a governmental entity.

"Shopping cart" means a basket or similar device which is mounted on wheels and which is generally used in retail or wholesale establishments for the purpose of transporting goods of any kind. The

term includes any constituent part of a shopping cart, as well as a shopping cart which is dismantled or not in working order.

SECTION 2: Title 9, Chapter 38, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 130, reading as follows:

9.38.130: (A) As an alternative to any applicable removal-related procedures and requirements of LVMC 9.38.040 to 9.38.110, inclusive, the City may opt to follow the provisions of Subsections (B) and (C) of this Section.

(B) A shopping cart or laundry cart that is in the possession of a person in violation of NRS 205.860, or that has been left or abandoned in violation of NRS 205.860, may be collected by officers or employees of the City and returned to the owner of the cart, or may be held for a period of at least thirty days before being disposed of by the City in its discretion. If the owner of the cart is apparent or reasonably able to be determined, the City may not dispose of the cart until the City has notified the owner and at least twenty days have elapsed following the notification. If the owner claims the cart within the notice period or before disposition, the City shall return the cart to the owner or its representative, and shall do so upon payment of the fee described in LVMC 9.38.110.

(C) The City may establish a program by which the owners of shopping carts and laundry carts collected by the City pursuant to Subsection (B) may retrieve their carts on a monthly or other periodic basis. The program may provide for appropriate procedures and requirements, which may include without limitation:

(1) A requirement for the owner to register or enter into an agreement to participate in the program; and

(2) A requirement to pay the City a retrieval fee that reflects the City's reasonable cost of collecting the owner's carts.

SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by

any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 4: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2019.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 6-4-19
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2019, and referred to a committee for recommendation, the committee being composed of the following members _____; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2019, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
63

DEPARTMENT: City Attorney **DISCUSSION**
DIRECTOR: Brad Jerbic

SUBJECT:
RECOMMENDING COMMITTEE: BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

Bill No. 2019-22 - For possible action - Amends LVMC Chapter 10.48 to establish prohibitions regarding the attaching of certain items to trees, poles, structures, amenities, walls and fences within or near public rights-of-way, along with associated authority to remove such items. Sponsored by: Councilman Cedric Crear

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
This bill will amend LVMC Chapter 10.48 to establish prohibitions regarding the attaching of certain items to trees, poles, structures, amenities, walls and fences within or near public rights-of-way, along with associated authority to remove such items. The bill is part of an effort to enable the City to better respond to the unauthorized use of City rights-of-way and facilities.

RECOMMENDATION:
ADOPTION at the 7/17/2019 City Council Meeting pursuant to the 7/1/2019 Recommending Committee Meeting

First Reading – 6/19/2019 First Publication – 7/3/2019

BACKUP DOCUMENTATION:
1. Bill No. 2019-22

BILL NO. 2019-22

ORDINANCE NO. _____

AN ORDINANCE RELATING TO IMPACTS ON PUBLIC RIGHTS-OF WAY; AMENDING LVMC CHAPTER 10.48 TO ESTABLISH PROHIBITIONS REGARDING THE ATTACHING OF CERTAIN ITEMS TO TREES, POLES, STRUCTURES, AMENITIES, WALLS AND FENCES WITHIN OR NEAR PUBLIC RIGHTS-OF-WAY, ALONG WITH ASSOCIATED AUTHORITY TO REMOVE SUCH ITEMS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Cedric Crear

Summary: Amends LVMC Chapter 10.48 to establish prohibitions regarding the attaching of certain items to trees, poles, structures, amenities, walls and fences within or near public rights-of-way, along with associated authority to remove such items.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 10, Chapter 48, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto four new sections, designated respectively as Sections 23, 25, 27 and 29, reading as follows:

10.48.023: (A) Except as otherwise provided in Subsection (B), it is unlawful to attach, affix or connect to any tree located on a public sidewalk or within public right-of-way, or to any structural component associated with such a tree, any rope, cord or similar item or device for the purpose of providing:

(1) Support for a shelter or other similar structure or facility; or

(2) A means of hanging clothing or other personal items.

(B) The provisions of Subsection (A) do not apply to any action that is:

(1) Authorized by a permit or other written approval issued by the Department of Public Works; or

(2) Taken by or on behalf of a government agency.

(C) A law enforcement officer or an officer or employee of the City assigned to the enforcement or implementation of City ordinances may remove any item affixed in violation of Subsection (A). Subject to the provisions of Subsection (D), the officer or employee may dispose of the item as he or

she sees fit.

(D) The officer or employee shall return any item removed pursuant to this Section, along with any personal property being supported or used in connection therewith, to its owner if the owner is known and can reasonably be located.

10.48.025: (A) Except as otherwise provided in Subsection (B), it is unlawful to attach, affix or connect to any pole or other structure that is located on a sidewalk or within public right-of-way and that is part of a utility system or a traffic control or management system any rope, cord or similar item or device for the purpose of providing:

(1) Support for a shelter or other similar structure or facility; or

(2) A means of hanging clothing or other personal items.

(B) The provisions of Subsection (A) do not apply to any action that is:

(1) Authorized by a permit or other written approval issued by the Department of Public Works; or

(2) Taken by or on behalf of a government agency.

(C) A law enforcement officer or an officer or employee of the City assigned to the enforcement or implementation of City ordinances may remove any item affixed in violation of Subsection (A). Subject to the provisions of Subsection (D), the officer or employee may dispose of the item as he or she sees fit.

(D) The officer or employee shall return any item removed pursuant to this Section, along with any personal property being supported or used in connection therewith, to its owner if the owner is known and can reasonably be located.

10.48.027: (A) Except as otherwise provided in Subsection (B), it is unlawful to attach, affix or connect to any structure or amenity that is located on a sidewalk or within public right-of-way and that is part of a sidewalk or right-of-way maintenance program (such as a trash receptacle) any rope, cord or similar item or device for the purpose of providing:

(1) Support for a shelter or other similar structure or facility; or

(2) A means of hanging clothing or other personal items.

(B) The provisions of Subsection (A) do not apply to any action that is:

(1) Authorized by a permit or other written approval issued by the Department of Public Works; or

(2) Taken by or on behalf of a government agency.

(C) A law enforcement officer or an officer or employee of the City assigned to the enforcement or implementation of City ordinances may remove any item affixed in violation of Subsection (A). Subject to the provisions of Subsection (D), the officer or employee may dispose of the item as he or she sees fit.

(D) The officer or employee shall return any item removed pursuant to this Section, along with any personal property being supported or used in connection therewith, to its owner if the owner is known and can reasonably be located.

10.48.029: (A) It is unlawful to attach or affix to any fence or wall that abuts or is adjacent to a public sidewalk or other public right-of-way any rope, cord or similar item or device for the purpose of providing:

(1) Support for a shelter or other similar structure or facility that will encroach upon or hang over the public sidewalk or public right-of-way; or

(2) A means of hanging clothing or other personal items that will encroach upon or hang over the public sidewalk or public right-of-way.

(B) A law enforcement officer or an officer or employee of the City assigned to the enforcement or implementation of City ordinances may remove any item affixed in violation of Subsection (A). Subject to the provisions of Subsection (C), the officer or employee may dispose of the item as he or she sees fit.

(C) The officer or employee shall return any item removed pursuant to this Section, along with any personal property being supported or used in connection therewith, to its owner if the owner is known and can reasonably be located.

SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 3: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

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SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2019.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 6-4-19
_____
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2019, and referred to a committee for recommendation, the committee being composed of the following members _____; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2019, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
64

DEPARTMENT: City Attorney **DISCUSSION**
DIRECTOR: Brad Jerbic

SUBJECT:
RECOMMENDING COMMITTEE: BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

Bill No. 2019-23 - For possible action - Amends LVMC Title 13 to add a new Chapter 60 to authorize the removal and disposition of signs and attention gaining devices that have placed on City property or in public rights-of-way illegally. Sponsored by: Councilman Cedric Crear

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
This bill will amend LVMC Title 13 to add a new Chapter 60 to authorize the removal and disposition of signs and attention gaining devices that have placed on City property or in public rights-of-way illegally. The bill is part of an effort to enable the City to better respond to the unauthorized use of City rights-of-way and facilities.

RECOMMENDATION:
ADOPTION as a First Amendment at the 7/17/2019 City Council Meeting pursuant to the 7/1/2019 Recommending Committee Meeting

First Reading – 6/19/2019 First Publication – 7/3/2019

BACKUP DOCUMENTATION:
1. Bill No. 2019-23
2. Bill No. 2019-23, First Amendment

BILL NO. 2019-23

ORDINANCE NO. _____

AN ORDINANCE TO AMEND LVMC TITLE 13 TO ADD A NEW CHAPTER 60 TO AUTHORIZE THE REMOVAL AND DISPOSITION OF SIGNS AND ATTENTION GAINING DEVICES THAT HAVE PLACED ON CITY PROPERTY OR IN PUBLIC RIGHTS-OF-WAY ILLEGALLY, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Cedric Crear

Summary: Amends LVMC Title 13 to add a new Chapter 60 to authorize the removal and disposition of signs and attention gaining devices that have placed on City property or in public rights-of-way illegally.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 13 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new chapter, designated as Chapter 60 and consisting of Sections 10 and 20, reading as follows:

13.60.010: For purposes of this Chapter:

"Attention gaining device" means any streamer, pennant, propeller, inflatable sign, tethered balloon, portable sign, bunting or other artificial device, figure, shape, color, sound, light or exhibit, whether live, animated or still, that is intended to attract attention.

"City property" means any real property owned or leased by the City and dedicated to City purposes.

"Public right-of-way" means any area dedicated to public use for public street purposes. The term includes without limitation roadways, parkways, alleys and sidewalks, and includes the definition of that term as found in LVMC 19.18.020.

"Sign" means any device, fixture, placard, structure or other medium, including its structure and component parts, that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

13.60.020: (A) Subject to the provisions of Subsection (B), a law enforcement officer or an officer

or employee of the City assigned to the implementation or enforcement of this Chapter may remove and dispose of any sign or attention gaining device that, in violation of the provisions of Title 19 or any other provision of this Code, has been erected or placed on City property or within a public right-of-way, has been or attached to a tree, pole, or other structure on City property or within a public right-of-way.

(B) If an officer or employee determines that a sign or attention gaining device removed pursuant to Subsection (A) is of sufficient value and character that the person responsible for its placement is likely to reclaim the item, or that the sign or device has a potential resale value greater than one hundred dollars, the sign or device shall be retained for at least twenty days for purposes of being reclaimed, and then may be either destroyed or disposed of in accordance with LVMC Chapter 4.16.

SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

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SECTION 3: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2019.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 6-4-19
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2019, and referred to a committee for recommendation, the committee being composed of the following members _____; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2019, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

FIRST AMENDMENT

BILL NO. 2019-23

ORDINANCE NO. _____

AN ORDINANCE TO AMEND LVMC TITLE 13 TO ADD A NEW CHAPTER 60 TO AUTHORIZE THE REMOVAL AND DISPOSITION OF SIGNS AND ATTENTION GAINING DEVICES THAT HAVE PLACED ON CITY PROPERTY OR IN PUBLIC RIGHTS-OF-WAY ILLEGALLY, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Cedric Crear

Summary: Amends LVMC Title 13 to add a new Chapter 60 to authorize the removal and disposition of signs and attention gaining devices that have placed on City property or in public rights-of-way illegally.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 13 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new chapter, designated as Chapter 60 and consisting of Sections 10 and 20, reading as follows:

13.60.010: For purposes of this Chapter:

"Attention gaining device" means any streamer, pennant, propeller, inflatable sign, tethered balloon, portable sign, bunting or other artificial device, figure, shape, color, sound, light or exhibit, whether live, animated or still, that is intended to attract attention.

"City property" means any real property owned or leased by the City and dedicated to City purposes.

"Public right-of-way" means any area dedicated to public use for public street purposes. The term includes without limitation roadways, parkways, alleys and sidewalks, and includes the definition of that term as found in LVMC 19.18.020.

"Sign" means any device, fixture, placard, structure or other medium, including its structure and component parts, that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

13.60.020: (A) Subject to the provisions of Subsection (B), a law enforcement officer or an officer or employee of the City assigned to the implementation or enforcement of this Chapter may remove and dispose of any sign or attention gaining device that, in violation of the provisions of Title 19 or any other provision of this Code, has been erected or placed on City property or within a public right-of-way, or has been attached to a tree, pole, or other structure on City property or within a public right-of-way.

(B) If an officer or employee determines that a sign or attention gaining device removed pursuant to Subsection (A) is of sufficient value and character that the person responsible for its placement is likely to reclaim the item, or that the sign or device has a potential resale value greater than one hundred dollars, the sign or device shall be retained for at least twenty days for purposes of being reclaimed, and then may be either destroyed or disposed of in accordance with LVMC Chapter 4.16.

SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

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SECTION 3: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2019.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 7-1-19
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2019, and referred to a committee for recommendation, the committee being composed of the following members _____; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2019, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
65

DEPARTMENT: City Attorney **DISCUSSION**
DIRECTOR: Brad Jerbic

SUBJECT:
RECOMMENDING COMMITTEE: BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

Bill No. 2019-24 - Adopts that certain document entitled "Fifth Amendment and Restatement to the Development Agreement for Skye Canyon Master Planned Community," regarding property generally located at the northwest corner of Grand Teton Drive and Grand Canyon Drive. Proposed by: Robert Summerfield, Director of Planning

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
This bill will adopt that certain document entitled "Fifth Amendment and Restatement to the Development Agreement for Skye Canyon Master Planned Community," regarding property generally located at the northwest corner of Grand Teton Drive and Grand Canyon Drive. The substance of the development agreement was approved by the City Council on June 19, 2019. This bill will formalize the adoption in accordance with State law.

RECOMMENDATION:
ADOPTION at the 8/7/2019 City Council Meeting pursuant to the 7/15/2019 Recommending Committee Meeting.

First Reading – 7/3/2019 First Publication – 7/25/2019

BACKUP DOCUMENTATION:
1. Bill No. 2019-24

BILL NO. 2019-24

ORDINANCE NO. _____

AN ORDINANCE TO ADOPT THAT CERTAIN DOCUMENT ENTITLED "FIFTH AMENDMENT AND RESTATEMENT TO THE DEVELOPMENT AGREEMENT FOR SKYE CANYON MASTER PLANNED COMMUNITY," AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Robert Summerfield, Director of Planning

Summary: Adopts that certain document entitled "Fifth Amendment and Restatement to the Development Agreement for Skye Canyon Master Planned Community," regarding property generally located at the northwest corner of Grand Teton Drive and Grand Canyon Drive.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: That certain document entitled "FIFTH AMENDMENT AND RESTATEMENT TO THE DEVELOPMENT AGREEMENT FOR SKYE CANYON MASTER PLANNED COMMUNITY," the substance of which was approved by the City Council on June 19, 2019, is hereby adopted in conformance with the provisions of NRS Chapter 278.

SECTION 2: Following adoption of this Ordinance, the document adopted by Section 1 shall be attached to this Ordinance and recorded in the office of the County Recorder in accordance with the provisions of NRS Chapter 278.

SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2019.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 6-19-19
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2019, and referred to a committee for recommendation, the committee being composed of the following members _____ _____;

thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2019, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
66

DEPARTMENT: City Attorney **DISCUSSION**
DIRECTOR: Brad Jerbic

SUBJECT:
RECOMMENDING COMMITTEE: BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

Bill No. 2019-25 - Adopts that certain document entitled "Amended and Restated Development Agreement for Sunstone Master Planned Community," regarding property generally located at the southwest corner of North Skye Canyon Park Drive and Moccasin Road. Proposed by: Robert Summerfield, Director of Planning

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
This bill will adopt that certain document entitled "Amended and Restated Development Agreement for Sunstone Master Planned Community," regarding property generally located at the southwest corner of North Skye Canyon Park Drive and Moccasin Road. The substance of the development agreement was approved by the City Council on June 19, 2019. This bill will formalize the adoption in accordance with State law.

RECOMMENDATION:
ADOPTION at the 8/7/2019 City Council Meeting pursuant to the 7/15/2019 Recommending Committee Meeting.

First Reading – 7/3/2019 First Publication – 7/25/2019

BACKUP DOCUMENTATION:
1. Bill No. 2019-25

BILL NO. 2019-25

ORDINANCE NO. _____

AN ORDINANCE TO ADOPT THAT CERTAIN DOCUMENT ENTITLED "AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR SUNSTONE MASTER PLANNED COMMUNITY," AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Robert Summerfield, Director of Planning

Summary: Adopts that certain document entitled "Amended and Restated Development Agreement for Sunstone Master Planned Community," regarding property generally located at the southwest corner of North Skye Canyon Park Drive and Moccasin Road.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: That certain document entitled "AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR SUNSTONE MASTER PLANNED COMMUNITY," the substance of which was approved by the City Council on June 19, 2019, is hereby adopted in conformance with the provisions of NRS Chapter 278.

SECTION 2: Following adoption of this Ordinance, the document adopted by Section 1 shall be attached to this Ordinance and recorded in the office of the County Recorder in accordance with the provisions of NRS Chapter 278.

SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause

or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2019.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 6-19-19
_____
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2019, and referred to a committee for recommendation, the committee being composed of the following members _____ _____; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2019, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
67

DEPARTMENT: City Attorney **DISCUSSION**
DIRECTOR: Brad Jerbic

SUBJECT:
RECOMMENDING COMMITTEE: BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

Bill No. 2019-26 - Amends LVMC Chapter 6.39 to exempt from licensing and regulation as a nightclub any establishment with a tavern-limited license within the Downtown Entertainment Overlay District, and amends LVMC 6.50.250 to authorize conditions to be imposed on such establishments regarding outdoor patron lines and outdoor speakers. Proposed by: Bradford R. Jerbic, City Attorney

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
This bill will amend LVMC Chapter 6.39 to exempt from licensing and regulation as a nightclub any establishment with a tavern-limited license within the Downtown Entertainment Overlay District (the "DEOD"). The bill will also amend LVMC 6.50.250 to authorize conditions to be imposed on such establishments regarding outdoor patron lines and outdoor speakers. The bill is intended to allow more flexibility for operations with tavern-limited licenses, while preserving operational requirements consistent with the goals and standards of the DEOD.

RECOMMENDATION:
FORWARDED to the 8/7/2019 City Council Meeting for consideration as a Proposed First Amendment, with no recommendation, pursuant to the 7/15/2019 Recommending Committee Meeting.

First Reading – 7/3/2019 First Publication – 7/25/2019

BACKUP DOCUMENTATION:
1. Bill No. 2019-26
2. Submitted after Final Agenda - Backup Documentation Submitted from the July 15, 2019 Recommending Committee Meeting

BILL NO. 2019-26

ORDINANCE NO. _____

AN ORDINANCE RELATING TO NIGHTCLUBS AND ESTABLISHMENTS WITH A TAVERN-LIMITED ALCOHOLIC BEVERAGE LICENSE; AMENDING PROVISIONS OF LVMC CHAPTER 6.39 TO EXEMPT FROM LICENSING AND REGULATION AS A NIGHTCLUB ANY ESTABLISHMENT WITH A TAVERN-LIMITED LICENSE WITHIN THE DOWNTOWN ENTERTAINMENT OVERLAY DISTRICT; AMENDING LVMC 6.50.250 TO AUTHORIZE CONDITIONS TO BE IMPOSED ON SUCH ESTABLISHMENTS REGARDING OUTDOOR PATRON LINES AND OUTDOOR SPEAKERS; AND PROVIDING FOR OTHER RELATED MATTERS.

Proposed by: Bradford R. Jerbic, City Attorney

Summary: Amends LVMC Chapter 6.39 to exempt from licensing and regulation as a nightclub any establishment with a tavern-limited license within the Downtown Entertainment Overlay District, and amends LVMC 6.50.250 to authorize conditions to be imposed on such establishments regarding outdoor patron lines and outdoor speakers.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 6, Chapter 39, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.39.010: (A) [As the] <u>The</u> primary operations of a nightclub often include the sales of alcoholic beverages for immediate on-premises consumption and the provision of live entertainment at a fixed establishment during the late night and early morning hours, and such operations can negatively impact surrounding businesses and residential areas during the late evening and early morning hours due to noise and congestion from the additional vehicular and pedestrian traffic coming to and from such establishments[,]<u>. Therefore,</u> the City Council declares that<u>, except as otherwise provided in Subsection (C) of this Section,</u> all businesses considered to be a nightclub pursuant to this Chapter must be specifically licensed for such operation, whether newly proposed or an existing business operation as further delineated herein.

(B) The City Council understands that there are certain liquor establishments authorized to provide live entertainment pursuant to LVMC 6.50.520, and if an establishment is not

considered a nightclub for purposes of this Subsection (B), then such establishment shall comply with the provisions of LVMC 6.50.520 prior to providing live entertainment at such an establishment.

(C) This Chapter does not apply to any establishment that holds a tavern-limited alcoholic beverage license and is located within the Downtown Entertainment Overlay District, as described in LVMC 19.10.120.

SECTION 2: Title 6, Chapter 39, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.39.020: (A) [Subject to Subsection (C)(1), below,] Except as otherwise provided in Subsection (C) of LVMC 6.39.010, it is unlawful for any person to commence, carry on or engage in or operate any nightclub as defined by LVMC 6.39.030 without first obtaining and thereafter maintaining a valid, unexpired nightclub license as provided herein. Due to the negative secondary impacts a nightclub can create, such a license is required whether it is a new business operation or an existing operation that is considered a nightclub.

(B) A nightclub license pursuant to this Chapter shall not issue for an establishment that will sell or serve alcoholic beverages unless the applicant possesses a beer and wine room alcoholic beverage license, tavern alcoholic beverage license, tavern-limited alcoholic beverage license, general on-sale alcoholic beverage license, or urban lounge alcoholic beverage license for the establishment at which the nightclub license is proposed for issuance, and, except as provided at Subsection (C)(2), below, such license shall not be issued if the establishment is located on property not properly entitled for a nightclub use pursuant to LVMC Title 19.

(C) [Existing Business Operations.

(1) Any existing business that is considered a nightclub pursuant to this Chapter shall apply for and obtain licensure as a nightclub by October 1, 2015, or completely cease nightclub operations by November 1, 2015.

(2) While certain land use approvals are required for new nightclub operations pursuant to Title 19 of this Code, any nightclubs lawfully operating prior to December 1, 2014 may be

licensed pursuant to this Chapter without obtaining land use approval for a nightclub use pursuant to LVMC Title 19, notwithstanding LVMC 6.39.020(B), above.

(D)] A separate license is required for each location at which a licensee conducts business, and such licenses are not transferable. In order for an applicant for a nightclub license to obtain and maintain such license in good standing, the establishment must comply, and continue to comply with all applicable zoning, building, fire and health requirements.

SECTION 3: Title 6, Chapter 50, Section 250, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.50.250: (A) A tavern-limited license:

(1) Authorizes the sale of alcoholic beverages only for consumption on the premises where the same are sold, except as otherwise provided in Subsection (C) of this Section.

(2) May only be issued for premises that are located entirely within Area 1 of the Downtown Las Vegas Overlay District or the Symphony Park District, as shown in Figures 2 and 3 of the Development Standards adopted in LVMC 19.10.010(B).

(3) In the case of a tavern-limited license issued under Subsection (C) of this Section, may only be issued with respect to an outdoor entertainment complex.

(4) Is not transferable, except to a location for which a new license of that type would qualify under Paragraph (2) of Section (A) above and to an operator who has been approved by the City Council.

(B) Except with respect to a tavern-limited license issued under Subsection (C) of this Section, a tavern-limited license, [or] the transfer of a license, <u>or in the case of Paragraphs (6) and (7) below, the renewal of a license as well,</u> may be conditioned upon one or more of the following:

(1) That the establishment be a themed establishment, the theme to be approved by the Director after submission of a written description of at least three operational elements establishing a theme.

(2) That the establishment provide live entertainment at least two nights per

week, including, but not limited to the following:

(a) Music entertainment venue, with live music or disc jockey (jazz, blues, reggae, hip hop, rock'n'roll, etc.);

(b) Nightclub venue with dancing and live music or live disc jockey;

(c) Comedy entertainment venue, with live comedic performers;

(d) Karaoke entertainment venue, with amateur guest performers; and

(e) Other live entertainment venues, to be determined by the City Council for acceptability and conformity to the goals and objectives of the district in which it is located.

(3) That the establishment provide for outdoor seating in a number and manner approved by the City Council.

(4) Establishment of an annual review for conformity to the licensing standards and conditions, for a period of time to be established by the City Council.

(5) Submittal of a business security plan, to be approved by the City.

(6) For establishments located within the Downtown Entertainment Overlay District that will have patrons waiting outside the establishment for entry into the establishment, that the licensee organize and maintain its patrons in line in accordance with this Paragraph (6). Each outdoor patron line must be on private property or on a public sidewalk. If on a public sidewalk, an outdoor patron line shall:

(a) Be parallel to and against the structure of the licensed establishment;

(b) Be maintained so that not more than two persons are abreast (next to one another);

(c) Not restrict reasonable pedestrian movement on the sidewalk; and

(d) Not obstruct the entrance to any other establishment that is open for business.

(7) For establishments located within the Downtown Entertainment Overlay

District, that outdoor speakers or other sound amplification devices:

(a) Will not be located on sidewalks or within the public right-of-way; and

(b) Will be directed toward the establishment's lounge or dining area and away from public rights-of-way.

[(6)] (8) Such other conditions as may be recommended by City staff and imposed by the City Council.

(C) Independent of the provisions contained in Subsection (B) of this Section, a person who owns or controls an outdoor entertainment complex, or a person who is associated with such a person by means of license or lease or other written consent to operate an outdoor entertainment complex, may only engage in the business of selling alcoholic beverages, advertise the same or permit the consumption of alcoholic beverages upon the premises of an outdoor entertainment complex by obtaining and thereafter maintaining a valid unexpired tavern-limited license specific for an outdoor entertainment complex pursuant to this Code. Unless otherwise restricted by conditions imposed on a license by the City Council, such a license authorizes the sale of alcoholic beverages for consumption at any location within an outdoor entertainment complex, but subject to compliance with the provisions of Subsections (D) and (E) of this Section.

(D) The issuance of a tavern-limited license under Subsection (C) of this Section shall be contingent upon the following:

(1) Submittal of a site plan for the outdoor entertainment complex that indicates all uses included within the complex, the controlled points access as required herein, locations where alcohol may be consumed within the boundaries of the complex, and any areas where minors may be segregated from persons over twenty-one years of age that are consuming alcohol, if any.

(2) Submittal of a business security plan that:

(a) Is designed to ensure that minors are not served or permitted to consume alcoholic beverages; and

(b) Specifically identifies how the operator of the outdoor entertainment complex will ensure that patrons will not remove alcoholic beverages from the complex.

(3) Submittal of an internal signage plan that, at a minimum, is designed to ensure the existence and maintenance of signage that reasonably and appropriately:

(a) Indicates that minors are not to be served nor consume alcohol; and

(b) Displays the scheduled entertainment to be provided to the public.

(4) Approval by the Director of the plans identified in Paragraphs (1) through (3) above, taking into account any review and recommendation of Metro regarding those plans.

(E) A tavern-limited license under Subsection (C) of this Section shall be conditioned upon compliance by the licensee and the operator of the outdoor entertainment complex with the following requirements:

(1) That at least one restaurant within the outdoor entertainment complex is open and fully operational whenever any alcoholic beverage service is available, except when the complex is closed to minors or a special event permit has been issued for an event pursuant to LVMC Chapter 12.02.

(2) That no alcoholic beverages are allowed to be consumed within any enclosed business establishment operating within the outdoor entertainment complex, unless the establishment has an alcoholic beverage license appropriate for the establishment.

(3) That patrons and guests are not allowed to leave the outdoor entertainment complex with an alcoholic beverage.

(4) That access into and out of the outdoor entertainment complex is controlled so that there are no more than four points of ingress and egress.

(5) Such other conditions as may be recommended by City staff and imposed by the City Council.

(F) The transfer of a license issued under Subsection (C) of this Section shall be subject to the contingencies and conditions regarding an initial license that are identified in Subsections

(D) and (E) of this Section.

SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 5: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

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SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2019.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 6-24-19
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2019, and referred to a committee for recommendation, the committee being composed of the following members _____; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2019, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

PROPOSED FIRST AMENDMENT

BILL NO. 2019-26

ORDINANCE NO. _____

AN ORDINANCE RELATING TO NIGHTCLUBS AND ESTABLISHMENTS WITH A TAVERN-LIMITED ALCOHOLIC BEVERAGE LICENSE; AMENDING VARIOUS PROVISIONS OF LVMC TITLES 6 AND 19 TO EXEMPT FROM LICENSING AND REGULATION AS A NIGHTCLUB ANY ESTABLISHMENT WITH A TAVERN-LIMITED LICENSE WITHIN THE DOWNTOWN ENTERTAINMENT OVERLAY DISTRICT, SUBJECT TO CERTAIN CONDITIONS; AND PROVIDING FOR OTHER RELATED MATTERS.

Proposed by: Bradford R. Jerbic, City Attorney

Summary: Amends various provisions of LVMC Titles 6 and 19 to exempt from licensing and regulation as a nightclub any establishment with a tavern-limited license within the Downtown Entertainment Overlay District, subject to certain conditions.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 6, Chapter 39, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.39.010: (A) **[**As the**]** <u>The</u> primary operations of a nightclub often include the sales of alcoholic beverages for immediate on-premises consumption and the provision of live entertainment at a fixed establishment during the late night and early morning hours, and such operations can negatively impact surrounding businesses and residential areas during the late evening and early morning hours due to noise and congestion from the additional vehicular and pedestrian traffic coming to and from such establishments**[**,**]**. <u>Therefore,</u> the City Council declares that<u>, except as otherwise provided in Subsection (C) of this Section,</u> all businesses considered to be a nightclub pursuant to this Chapter must be specifically licensed for such operation, whether newly proposed or an existing business operation as further delineated herein.

(B) The City Council understands that there are certain liquor establishments authorized to provide live entertainment pursuant to LVMC 6.50.520, and if an establishment is not

Submitted At 7/15/19
Recommending Meeting by Staff
Item 6

considered a nightclub for purposes of this Subsection (B), then such establishment shall comply with the provisions of LVMC 6.50.520 prior to providing live entertainment at such an establishment.

(C) This Chapter does not apply to any establishment that holds a tavern-limited alcoholic beverage license and is located within the Downtown Entertainment Overlay District, as described in LVMC 19.10.120.

SECTION 2: Title 6, Chapter 39, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.39.020: (A) [Subject to Subsection (C)(1), below,] Except as otherwise provided in Subsection (C) of LVMC 6.39.010, it is unlawful for any person to commence, carry on or engage in or operate any nightclub as defined by LVMC 6.39.030 without first obtaining and thereafter maintaining a valid, unexpired nightclub license as provided herein. Due to the negative secondary impacts a nightclub can create, such a license is required whether it is a new business operation or an existing operation that is considered a nightclub.

(B) A nightclub license pursuant to this Chapter shall not issue for an establishment that will sell or serve alcoholic beverages unless the applicant possesses a beer and wine room alcoholic beverage license, tavern alcoholic beverage license, tavern-limited alcoholic beverage license, general on-sale alcoholic beverage license, or urban lounge alcoholic beverage license for the establishment at which the nightclub license is proposed for issuance, and, except as provided at Subsection (C)(2), below, such license shall not be issued if the establishment is located on property not properly entitled for a nightclub use pursuant to LVMC Title 19.

(C) [Existing Business Operations.

(1) Any existing business that is considered a nightclub pursuant to this Chapter shall apply for and obtain licensure as a nightclub by October 1, 2015, or completely cease nightclub operations by November 1, 2015.

(2) While certain land use approvals are required for new nightclub operations pursuant to Title 19 of this Code, any nightclubs lawfully operating prior to December 1, 2014 may be

considered a nightclub for purposes of this Subsection (B), then such establishment shall comply with the provisions of LVMC 6.50.520 prior to providing live entertainment at such an establishment.

(C) This Chapter does not apply to any establishment that holds a tavern-limited alcoholic beverage license and is located within the Downtown Entertainment Overlay District, as described in LVMC 19.10.120.

SECTION 2: Title 6, Chapter 39, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.39.020: (A) [Subject to Subsection (C)(1), below,] Except as otherwise provided in Subsection (C) of LVMC 6.39.010, it is unlawful for any person to commence, carry on or engage in or operate any nightclub as defined by LVMC 6.39.030 without first obtaining and thereafter maintaining a valid, unexpired nightclub license as provided herein. Due to the negative secondary impacts a nightclub can create, such a license is required whether it is a new business operation or an existing operation that is considered a nightclub.

(B) A nightclub license pursuant to this Chapter shall not issue for an establishment that will sell or serve alcoholic beverages unless the applicant possesses a beer and wine room alcoholic beverage license, tavern alcoholic beverage license, tavern-limited alcoholic beverage license, general on-sale alcoholic beverage license, or urban lounge alcoholic beverage license for the establishment at which the nightclub license is proposed for issuance, and, except as provided at Subsection (C)(2), below, such license shall not be issued if the establishment is located on property not properly entitled for a nightclub use pursuant to LVMC Title 19.

(C) [Existing Business Operations.

(1) Any existing business that is considered a nightclub pursuant to this Chapter shall apply for and obtain licensure as a nightclub by October 1, 2015, or completely cease nightclub operations by November 1, 2015.

(2) While certain land use approvals are required for new nightclub operations pursuant to Title 19 of this Code, any nightclubs lawfully operating prior to December 1, 2014 may be

licensed pursuant to this Chapter without obtaining land use approval for a nightclub use pursuant to LVMC Title 19, notwithstanding LVMC 6.39.020(B), above.

(D)] A separate license is required for each location at which a licensee conducts business, and such licenses are not transferable. In order for an applicant for a nightclub license to obtain and maintain such license in good standing, the establishment must comply, and continue to comply with all applicable zoning, building, fire and health requirements.

SECTION 3: Title 6, Chapter 50, Section 250, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.50.250: (A) A tavern-limited license:

(1) Authorizes the sale of alcoholic beverages only for consumption on the premises where the same are sold, except as otherwise provided in Subsection (C) of this Section.

(2) May only be issued for premises that are located entirely within Area 1 of the Downtown Las Vegas Overlay District or the Symphony Park District, as shown in Figures 2 and 3 of the Development Standards adopted in LVMC 19.10.010(B).

(3) In the case of a tavern-limited license issued under Subsection (C) of this Section, may only be issued with respect to an outdoor entertainment complex.

(4) Is not transferable, except to a location for which a new license of that type would qualify under Paragraph (2) of Section (A) above and to an operator who has been approved by the City Council.

(B) Except with respect to a tavern-limited license issued under Subsection (C) of this Section, a tavern-limited license, [or] the transfer of a license, or in the case of Paragraphs (5), (6), (7) and (8) below, the renewal of a license as well, may be conditioned upon one or more of the following:

(1) That the establishment be a themed establishment, the theme to be approved by the Director after submission of a written description of at least three operational elements establishing a theme.

(2) That the establishment provide live entertainment at least two nights per

week, including, but not limited to the following:

(a) Music entertainment venue, with live music or disc jockey (jazz, blues, reggae, hip hop, rock'n'roll, etc.);

(b) Nightclub venue with dancing and live music or live disc jockey;

(c) Comedy entertainment venue, with live comedic performers;

(d) Karaoke entertainment venue, with amateur guest performers; and

(e) Other live entertainment venues, to be determined by the City Council for acceptability and conformity to the goals and objectives of the district in which it is located.

(3) That the establishment provide for outdoor seating in a number and manner approved by the City Council.

(4) Establishment of an annual review for conformity to the licensing standards and conditions, for a period of time to be established by the City Council.

(5) Submittal of a [business] security plan, to be approved by the City[.]; provided, however, that this condition shall be mandatory for establishments located within the Downtown Entertainment Overlay District. In the case of a mandatory security plan for establishments within the Downtown Entertainment Overlay District, the security plan must address all aspects of the establishment's operations. In particular, and in connection with the approval of such a mandatory security plan, the Director may do one or both of the following, as if the establishment were a nightclub subject to LVMC Chapter 6.39:

(a) Require the establishment to comply with the provisions of LVMC 6.39.040 regarding the presence of minors.

(b) Apply to the establishment the provisions of LVMC 6.39.050(B) regarding security plans.

(6) For establishments located within the Downtown Entertainment Overlay District that will have patrons waiting outside the establishment for entry into the establishment, that the licensee organize and maintain its patrons in line in accordance with this Paragraph (6). Each outdoor patron line must be on private property or on a public sidewalk. If on a public sidewalk, an outdoor patron line shall:

(a) Be parallel to and against the structure of the licensed establishment;

(b) Be maintained so that not more than two persons are abreast (next to one another);

(c) Not restrict reasonable pedestrian movement on the sidewalk; and

(d) Not obstruct the entrance to any other establishment that is open for business.

(7) For establishments located within the Downtown Entertainment Overlay District, that outdoor speakers or other sound amplification devices:

(a) Will not be located on sidewalks or within the public right-of-way; and

(b) Will be directed toward the establishment's lounge or dining area and away from public rights-of-way.

(8) For establishments located within the Downtown Entertainment Overlay District that will provide entertainment other than what has been required as a condition of City Council approval pursuant to Paragraph (2) of this Subsection (B), that such entertainment be approved in advance by the Director.

[(6)] (9) Such other conditions as may be recommended by City staff and imposed by the City Council.

(C) Independent of the provisions contained in Subsection (B) of this Section, a person who owns or controls an outdoor entertainment complex, or a person who is associated with such a person by means of license or lease or other written consent to operate an outdoor entertainment complex, may only engage in the business of selling alcoholic beverages, advertise the same or permit the consumption of alcoholic beverages upon the premises of an outdoor entertainment complex by obtaining and thereafter maintaining a valid unexpired tavern-limited license specific for an outdoor entertainment complex pursuant to this Code. Unless otherwise restricted by conditions imposed on a license by the City Council, such a

license authorizes the sale of alcoholic beverages for consumption at any location within an outdoor entertainment complex, but subject to compliance with the provisions of Subsections (D) and (E) of this Section.

(D) The issuance of a tavern-limited license under Subsection (C) of this Section shall be contingent upon the following:

(1) Submittal of a site plan for the outdoor entertainment complex that indicates all uses included within the complex, the controlled points access as required herein, locations where alcohol may be consumed within the boundaries of the complex, and any areas where minors may be segregated from persons over twenty-one years of age that are consuming alcohol, if any.

(2) Submittal of a business security plan that:

(a) Is designed to ensure that minors are not served or permitted to consume alcoholic beverages; and

(b) Specifically identifies how the operator of the outdoor entertainment complex will ensure that patrons will not remove alcoholic beverages from the complex.

(3) Submittal of an internal signage plan that, at a minimum, is designed to ensure the existence and maintenance of signage that reasonably and appropriately:

(a) Indicates that minors are not to be served nor consume alcohol; and

(b) Displays the scheduled entertainment to be provided to the public.

(4) Approval by the Director of the plans identified in Paragraphs (1) through (3) above, taking into account any review and recommendation of Metro regarding those plans.

(E) A tavern-limited license under Subsection (C) of this Section shall be conditioned upon compliance by the licensee and the operator of the outdoor entertainment complex with the following requirements:

(1) That at least one restaurant within the outdoor entertainment complex is open and fully operational whenever any alcoholic beverage service is available, except when the complex is closed to minors or a special event permit has been issued for an event pursuant to LVMC Chapter 12.02.

(2) That no alcoholic beverages are allowed to be consumed within any enclosed business establishment operating within the outdoor entertainment complex, unless the establishment has an alcoholic beverage license appropriate for the establishment.

(3) That patrons and guests are not allowed to leave the outdoor entertainment complex with an alcoholic beverage.

(4) That access into and out of the outdoor entertainment complex is controlled so that there are no more than four points of ingress and egress.

(5) Such other conditions as may be recommended by City staff and imposed by the City Council.

(F) The transfer of a license issued under Subsection (C) of this Section shall be subject to the contingencies and conditions regarding an initial license that are identified in Subsections (D) and (E) of this Section.

SECTION 4: Ordinance No. 6289 and the Unified Development Code adopted as Title 19 of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, are hereby amended as set forth in Sections 5 to 7, inclusive, of this Ordinance. The amendments in those sections are deemed to be amendments to both Ordinance No. 6289 and the Unified Development Code adopted as Title 19.

SECTION 5: Table 2 of the Land Use Tables adopted in Title 19, Chapter 12, Section 10, is hereby amended by adding thereto, at the appropriate location, a new entry for the use "Tavern-Limited with Ancillary Nightclub Operation," indicating that the use is allowed as a conditional use in the C-2 Zoning District. In order to reflect the amendment, the letter "C" shall be inserted in the box that represents the intersection of the row for the use "Tavern-Limited with Ancillary Nightclub Operation" and the column for the C-2 Zoning District.

SECTION 6: Title 19, Chapter 12, Section 70, is hereby amended by adding thereto, at the appropriate location, a new entry for the use "Tavern-Limited Establishment with Ancillary Nightclub Operation," reading as follows:

. . .

Tavern-Limited Establishment with Ancillary Nightclub Operation

Description: A tavern-limited establishment with an ancillary operation that by itself would qualify as a Nightclub under LVMC 19.18.020.

Conditional Use Regulations:

1. The use must be located within the Downtown Entertainment Overlay District.

2. The use is not required to obtain an additional special use permit for the ancillary "Nightclub" operation or conform to the Minimum Special Use Permit Requirements for the "Nightclub" use, but only if:

   a. The tavern-limited establishment has been approved by means of Special Use Permit; and

   b. The operation conforms to all applicable requirements of LVMC 6.50.250.

3. The Special Use Permit provisions of Section 19.12.040(B) do not apply to this use.

On-site Parking Requirement: No additional parking required beyond that which is required for the principal use on the site.

SECTION 7: Title 19, Chapter 18, Section 20, is hereby amended by adding thereto, at the appropriate location, the following term and its corresponding definition:

Tavern-Limited Establishment with Ancillary Nightclub Operation. A tavern-limited establishment with an ancillary operation that by itself would qualify as a Nightclub under LVMC 19.18.020.

SECTION 8: For purposes of Section 2.100(3) of the City Charter, Sections 19.12.010, 19.12.070 and 19.18.020 are deemed to be subchapters rather than sections.

SECTION 9: The Department of Planning is authorized and directed to incorporate into the Unified Development Code the amendments set forth in Sections 5 to 7 of this Ordinance.

SECTION 10: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs,

sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 11: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

SECTION 12: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2019.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

_____
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2019, and referred to a committee for recommendation, the committee being composed of the following members _____; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2019, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
68

DEPARTMENT: City Attorney **DISCUSSION**
DIRECTOR: Brad Jerbic

SUBJECT:
NEW BILLS:

Bill No. 2019-27 - Grants to Zayo Group, LLC a non-exclusive franchise for the purpose of installing, operating and maintaining a telecommunications service within the City, subject to and in accordance with the terms and conditions of the Franchise Agreement incorporated by reference into this Ordinance. Proposed by: Jorge Cervantes, Chief Operations and Development Officer

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
This bill will grant to Zayo Group, LLC a non-exclusive franchise for the purpose of installing, operating and maintaining a telecommunications service within the City, subject to and in accordance with the terms and conditions of the Franchise Agreement incorporated by reference into this Ordinance. The terms of the Franchise Agreement are the subject of a separate resolution to be considered by the City Council, followed by the corresponding public hearing required by law.

RECOMMENDATION:
This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:
1. Bill No. 2019-27

BILL NO. 2019-27

ORDINANCE NO. _____

AN ORDINANCE GRANTING TO ZAYO GROUP, LLC, A LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE AND AUTHORIZED TO DO BUSINESS IN NEVADA, A NON-EXCLUSIVE FRANCHISE FOR A TELECOMMUNICATIONS SERVICE WITHIN THE CORPORATE LIMITS OF THE CITY OF LAS VEGAS, SUBJECT TO AND IN ACCORDANCE WITH THAT CERTAIN FRANCHISE AGREEMENT ENTERED INTO BETWEEN THE CITY OF LAS VEGAS AND ZAYO GROUP, LLC; AND PROVIDING FOR OTHER RELATED MATTERS.

Proposed by: Gary Ameling, Chief Financial Officer

Summary: Grants to Zayo Group, LLC a non-exclusive franchise for the purpose of installing, operating and maintaining a telecommunications service within the City, subject to and in accordance with the terms and conditions of the Franchise Agreement incorporated by reference into this Ordinance.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The City of Las Vegas, Nevada, hereby grants to ZAYO GROUP, LLC the non-exclusive right, privilege, authority and permission to install, operate and maintain a telecommunications service system in, upon, along, across, above, over and under all present and future public ways (excluding railroad rights-of-way), highways, streets, avenues and alleys within the incorporated boundaries of the City of Las Vegas, subject to and in accordance with the terms and conditions of that certain document entitled Franchise Agreement between the City of Las Vegas and Zayo Group, LLC, a copy of which Franchise Agreement is on file with the Clerk of the City of Las Vegas and by this reference incorporated herein. For the purposes of this Section the term "telecommunications service" has the same meaning as that term is defined in the United States Code 47 U.S.C. 153 (46).

SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase

thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 3: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2019.

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

APPROVED AS TO FORM:

Val Steed 7-1-19
_____
Val Steed, Date
Deputy City Attorney

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2019, and referred to a committee for recommendation, the committee being composed of the following members _____; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2019, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
CAROLYN G. GOODMAN, Mayor

ATTEST:

_____
LUANN D. HOLMES, MMC
City Clerk

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
69

DEPARTMENT: City Attorney **DISCUSSION**
DIRECTOR: Brad Jerbic

SUBJECT:
Closed Session - A closed meeting is called in accordance with NRS 241.015(3)(b)(2) to receive information from the City Attorney about potential and existing litigation

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
To discuss potential pending litigation.

RECOMMENDATION:
None

BACKUP DOCUMENTATION:
None

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
70

DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
Any items from the 11 A.M. session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time.

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
71

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
ABEYANCE ITEM - Public hearing and discussion for possible action to consider a request for a waiver and/or reduction of fees totaling $47,851.10 in out of pocket costs, and $97,500 in civil penalties for a total of $145.351.10 recorded against the property located at 4550 East Van Buren Avenue - PROPERTY OWNER: REALTY DATA GROUP, LLC - Ward 3 (Coffin)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
Today's hearing is a request from Realty Data Group LLC, to consider a request for a waiver and/or reduction of fees that have been assessed for failed inspection fees and penalties.

The first case originated February 4, 2013 by a citizen complaint the single family residence was open and accessible. The condition of the property was a public hazard and an attractive nuisance. The Department of Planning declared the property in violation and started legal notification. . When no corrective action was taken nor an appeal filed, the Department of Planning hired CGI demolish all structures and non shared block walls; remove weeds, apply herbicide; paint over graffiti; and apply dust control. A total of 9 inspections were completed before the case was closed August 16, 2013. The owner at time of abatement was CHARLES & BAMBI COMPTON.

The second case originated February 8, 2016 by a citizen complaint of trash and debris in the now vacant lot. The condition of the property was a public hazard and an attractive nuisance. The Department of Planning declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Planning hired Weaver to remove all dumped items from vacant lot; remove high vegetation to provide 6 ft clearance; remove dead trees and dead vegetation; and display No trespassing/No Dumping signs. A total of 8 inspections were completed before the case was closed May 17, 2019. The owner at time of abatement was TRUSTEE CLARK COUNTY TREASURER c/o CHARLES & BAMBI COMPTON.

The third case originated August 10, 2016 by a citizen complaint of trash and graffiti. The condition of the property was a public hazard and an attractive nuisance. The Department of Planning declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Planning hired Junkman to remove all trash and debris; trim trees; remove dead vegetation; remove weeds, apply herbicide; install chain link fence; and replace existing sign. A total of 7 inspections were completed before the case was closed November 30, 2016. The owner at time of abatement was TRUSTEE CLARK COUNTY TREASURER c/o CHARLES & BAMBI COMPTON.

The fourth case originated August 9, 2017 by a citizen complaint of graffiti and overgrown vegetation. The Department of Planning declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Planning

hired Junkman to remove all trash and debris; remove dead vegetation; remove weeds, apply herbicide; and remove graffiti. A total of 7 inspections were completed before the case was closed November 21, 2017. The owner at time of abatement was CHARLES & BAMBI COMPTON % TRUSTEE CLARK COUNTY TREASURER.

The fifth case originated March 28, 2018 by a citizen complaint of graffiti. case originated August 9, 2017 by a citizen complaint of graffiti and overgrown vegetation. The Department of Planning declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Planning hired Junkman to remove graffiti. A total of 8 inspections were completed before the case was closed August 9, 2018. The owner at time of abatement was SMITH & PARKER, LLC.

REALTY DATA GROUP, LLC purchased the property February 21, 2019 for $74,583.

Planning received a Request for Waiver and/or Reduction of Civil Penalties Application dated March 7, 2019 from Realty Data Group LLC, owner, requesting the fees and civil penalties be waived.

RECOMMENDATION:
That City Council deny the request for waiver and/or reduction of fees.

BACKUP DOCUMENTATION:
1. Notification Letter
2. Case Information
3. Backup Submitted from the June 19, 2019 City Council Meeting
4. Submitted at Meeting – PowerPoint Presentation

LAS VEGAS CITY COUNCIL

CAROLYN G. GOODMAN
Mayor

LOIS TARKANIAN
Mayor Pro Tem

STAVROS S. ANTHONY
BOB COFFIN
MICHELE FIORE
CEDRIC CREAR

SCOTT D. ADAMS
City Manager

May 20, 2019

Certified/Regular Mail
Return Receipt Requested

Certified Mail
7019 0140 0001 0201 8808

REALTY DATA GROUP L L C
%TRUSTEE CLARK COUNTY TREASURER
322 KAREN AVE #805
LAS VEGAS
NV 89109

RE: 4550 W VAN BUREN AVENUE

Dear Property Owner:

On March 7, 2019, the City of Las Vegas received a request of waiver of civil penalties and is scheduling your hearing before the City Council designee to be held on **JUNE 19, 2019** at **11:00 AM**, to consider your request.

If you have any questions concerning this procedure, please contact the Code Enforcement Division located in the Department of Planning, by telephoning (702)229-6615.
Sincerely,

Vicki R. Ozuna, Code Enforcement Section Manager
Code Enforcement Division
Department of Planning

PLANNING DEPARTMENT
CODE ENFORCEMENT
DIVISION
333 NORTH RANCHO DRIVE
LAS VEGAS, NEVADA 89106

VOICE 702.229.6615
FAX 702.382-4341
TTY 702.386.9108
www.lasvegasnevada.gov

Code Enforcement Agenda Item Information Sheet

WARD 3: Councilman Coffin

Case #124504

Address: 4550 E VAN BUREN AVE

Description: SINGLE FAMILY RESIDENCE/Vacant

Major Cross Street: Lamb & Van Buren

Zipcode: 89110

Foreclosure: No

Registration Status:
Meets Registration Status: No
Property Registered: No
Lender Notified: Yes

Current Ownership: REALTY DATA GROUP L L C

Since: 02/21/2019

Ownership at Time of Abatement: COMPTON CHARLES & BAMBI,

Case Opened:	2/4/2013
Notice & Order Issued:	3/13/2013
Case Closed:	8/12/2013
City Council Approved Lien:	10/16/2013

Certified Mail Receipt Signed by:

# of Inspections Completed: Total (9); Failed (7); Status Check (1); Passed (1)

Abatement Completed: 8/12/2013

Abatement of: asbestos survey & demo structures and non shared block walls & cut/remove high grass. herbicide & paint over graff & dust control product

OUT-OF-POCKET COSTS	ASSESSED	PAID	OUTSTANDING
ABATEMENT CONTRACT PRICE	$23,935.00	$0.00	$23,935.00
ASBESTOS TESTING CONTRACT PRICE	$825.00	$0.00	$825.00
ADMINISTRATIVE COSTS RECOVERY FEE	$3,714.00	$0.00	$3,714.00
4% TAX ROLL FEE	$2,635.72	$0.00	$2,635.72
INTEREST	$1,289.27	$0.00	$1,289.27
INSPECTION COSTS RECOVERY FEE	$1,020.00	$0.00	$1,020.00
LATE FEE	$102.00	$0.00	$102.00
SUB-TOTAL OUT-OF-POCKET COSTS:	$33,520.99	$0.00	$33,520.99
CIVIL PENALTIES			
DAILY CIVIL PENALTIES	$19,500.00	$0.00	$19,500.00
TOTAL ALL COSTS, LATE FEE AND PENALTIES			$53,020.99

Property Value Per Zillow.com: $291,074

As of: 04/29/2019

STAFF RECOMMENDATION: DENIAL OF THE WAIVER REQUEST.

If the Hearing Officer desires to approve a waiver of 90%, below are the amounts that would be owed:

Out of Pocket Costs		**$32,695.99**
10% of Civil Penalty	**+**	**$1,950.00**
Total Due		**$34,645.99**

Condition of Waiver: Amount to be paid within 30 days or reverts back to original amount due.

Code Enforcement Agenda Item Information Sheet

WARD 3: Councilman Coffin

Case #163211

Address: 4550 E VAN BUREN AVE

Description: MINOR RESIDENTIAL IMPROVEMENT/Vacant

Major Cross Street: Lamb & Van Buren

Zipcode: 89110

Foreclosure: No

Registration Status:
Meets Registration Status: No
Property Registered: No
Lender Notified: Yes

Current Ownership: REALTY DATA GROUP L L C

Since: 02/21/2019

Ownership at Time of Abatement: TRUSTEE CLARK COUNTY TREASURER,

Case Opened:	2/8/2016
Notice & Order Issued:	2/10/2016
Case Closed:	5/17/2016
City Council Approved Lien:	6/29/2016

Certified Mail Receipt Signed by: Deloise Brown-Milner Freddie, 8200 Jones Branch, Mclean VA 22102
Trusteee Clark county Treasurer, 4550 E Van Buren Av, Las Vegas NV 89110

# of Inspections Completed: Total (8); Failed (6); Status Check (1); Passed (1)

Abatement Completed: 5/17/2016

Abatement of: Remove all dumped items from vacant lot to include dead vegetation, furniture, mattresses,trash & Cut/remove high vegetation from front unimproved right of way from block wall to 6 ft towards street & Remove dead trees, any dead vegetation & Display "No Trespass/No Dumping" sign prominently on parcel.

OUT-OF-POCKET COSTS	ASSESSED	PAID	OUTSTANDING
ABATEMENT CONTRACT PRICE	$3,495.00	$0.00	$3,495.00
ADMINISTRATIVE COSTS RECOVERY FEE	$524.25	$0.00	$524.25
4% TAX ROLL FEE	$997.62	$0.00	$997.62
INTEREST	$695.24	$0.00	$695.24
INSPECTION COSTS RECOVERY FEE	$660.00	$0.00	$660.00
LATE FEE	$66.00	$0.00	$66.00
SUB-TOTAL OUT-OF-POCKET COSTS:	$6,438.11	$0.00	$6,438.11
CIVIL PENALTIES			
DAILY CIVIL PENALTIES	$19,500.00	$0.00	$19,500.00
TOTAL ALL COSTS, LATE FEE AND PENALTIES			$25,938.11

Property Value Per Zillow.com: $291,074

As of: 04/29/2019

STAFF RECOMMENDATION: DENIAL OF THE WAIVER REQUEST.

If the Hearing Officer desires to approve a waiver of 90%, below are the amounts that would be owed:

Out of Pocket Costs		**$6,438.11**
10% of Civil Penalty	**+**	**$1,950.00**
Total Due		**$8,388.11**

Condition of Waiver: Amount to be paid within 30 days or reverts back to original amount due.

Code Enforcement Agenda Item Information Sheet

WARD 3: Councilman Coffin

Case #169582

Address: 4550 E VAN BUREN AVE

Description: MINOR RESIDENTIAL IMPROVEMENT/Unclai

Major Cross Street: Lamb & Van Buren

Zipcode: 89110

Foreclosure: Unclaimed

Registration Status:
Meets Registration Status: Unclaimed
Property Registered: Unclaimed
Lender Notified: No

Current Ownership: REALTY DATA GROUP L L C

Since: 02/21/2019

Ownership at Time of Abatement: TRUSTEE CLARK COUNTY TREASURER,

Case Opened:	8/10/2016
Notice & Order Issued:	9/26/2016
Case Closed:	11/30/2016
City Council Approved Lien:	1/25/2017

Certified Mail Receipt Signed by: c/o COMPTON CHARLES & BAMBI, TRUSTEE CLARK COUNTY TREASURER, 4550 E VAN BUREN AVE, LV, NV 89110-1323

# of Inspections Completed: Total (7); Failed (4); Status Check (2); Passed (1)

Abatement Completed: 11/30/2016

Abatement of: Remove all trash and debris. & Trim trees that are overhanging the lot. & Remove dead vegetation. & Remove weeds-apply herbicide. & Install 6 foot chain link fence across north side of lot. & Replace the existing sign with a matching sign.

OUT-OF-POCKET COSTS	ASSESSED	PAID	OUTSTANDING
ABATEMENT CONTRACT PRICE	$3,600.00	$0.00	$3,600.00
ADMINISTRATIVE COSTS RECOVERY FEE	$540.00	$0.00	$540.00
4% TAX ROLL FEE	$0.00	$0.00	$0.00
INTEREST	$0.00	$0.00	$0.00
INSPECTION COSTS RECOVERY FEE	$480.00	$0.00	$480.00
LATE FEE	$48.00	$0.00	$48.00
SUB-TOTAL OUT-OF-POCKET COSTS:	$4,668.00	$0.00	$4,668.00
CIVIL PENALTIES			
DAILY CIVIL PENALTIES	$19,500.00	$0.00	$19,500.00
TOTAL ALL COSTS, LATE FEE AND PENALTIES			$24,168.00

Property Value Per Zillow.com: $291,074

As of: 04/29/2019

STAFF RECOMMENDATION: DENIAL OF THE WAIVER REQUEST.

If the Hearing Officer desires to approve a waiver of 90%, below are the amounts that would be owed:

Out of Pocket Costs		**$4,668.00**
10% of Civil Penalty	**+**	**$1,950.00**
Total Due		**$6,618.00**

Condition of Waiver: Amount to be paid within 30 days or reverts back to original amount due.

Code Enforcement Agenda Item Information Sheet

WARD 3: Councilman Coffin

Case #181505

Address: 4550 E VAN BUREN AVE

Description: MINOR RESIDENTIAL IMPROVEMENT/Occupi

Major Cross Street: Lamb & Van Buren

Zipcode: 89110

Foreclosure: No

Registration Status:
Meets Registration Status: No
Property Registered: No
Lender Notified: Yes

Current Ownership: REALTY DATA GROUP L L C

Since: 02/21/2019

Ownership at Time of Abatement: COMPTON CHARLES & BAMBI,

Case Opened:	8/9/2017
Notice & Order Issued:	
Case Closed:	11/21/2017
City Council Approved Lien:	1/31/2018

Certified Mail Receipt Signed by:

# of Inspections Completed: Total (7); Failed (3); Status Check (3); Passed (1)

Abatement Completed: 11/21/2017

Abatement of: Remove all trash and debris. & Remove dead vegetation front/rear yards. & Remove weeds, apply herbicide. & Remove graffiti-to include sign & block wall.

OUT-OF-POCKET COSTS	ASSESSED	PAID	OUTSTANDING
ABATEMENT CONTRACT PRICE	$1,700.00	$0.00	$1,700.00
ADMINISTRATIVE COSTS RECOVERY FEE	$255.00	$0.00	$255.00
4% TAX ROLL FEE	$0.00	$0.00	$0.00
INTEREST	$0.00	$0.00	$0.00
INSPECTION COSTS RECOVERY FEE	$300.00	$0.00	$300.00
LATE FEE	$30.00	$0.00	$30.00
SUB-TOTAL OUT-OF-POCKET COSTS:	$2,285.00	$0.00	$2,285.00
CIVIL PENALTIES			
DAILY CIVIL PENALTIES	$19,500.00	$0.00	$19,500.00
TOTAL ALL COSTS, LATE FEE AND PENALTIES			$21,785.00

Property Value Per Zillow.com: $291,074

As of: 04/29/2019

STAFF RECOMMENDATION: DENIAL OF THE WAIVER REQUEST.

If the Hearing Officer desires to approve a waiver of 90%, below are the amounts that would be owed:

Out of Pocket Costs		$2,285.00
10% of Civil Penalty	+	$1,950.00
Total Due		$4,235.00

Condition of Waiver: Amount to be paid within 30 days or reverts back to original amount due.

Code Enforcement Agenda Item Information Sheet

WARD 3: Councilman Coffin

Case #187048

Address: 4550 E VAN BUREN AVE

Description: MINOR RESIDENTIAL IMPROVEMENT/Occupi

Major Cross Street: Lamb & Van Buren

Zipcode: 89110

Foreclosure: No

Registration Status:
Meets Registration Status: No
Property Registered: No
Lender Notified: No

Current Ownership: REALTY DATA GROUP L L C

Since: 02/21/2019

Ownership at Time of Abatement: SMITH & PARKER L L C,

Case Opened:	3/28/2018
Notice & Order Issued:	6/5/2018
Case Closed:	8/9/2018
City Council Approved Lien:	10/31/2018

Certified Mail Receipt Signed by: MILLER LAW GROUP PLLC, 525 S 6TH ST, LAS VEGAS, NV 89101

# of Inspections Completed: Total (8); Failed (5); Status Check (2); Passed (1)

Abatement Completed: 8/9/2018

Abatement of: Remove graffiti.

OUT-OF-POCKET COSTS	ASSESSED	PAID	OUTSTANDING
ABATEMENT CONTRACT PRICE	$300.00	$0.00	$300.00
ASBESTOS TESTING CONTRACT PRICE	$0.00	$0.00	$0.00
ADMINISTRATIVE COSTS RECOVERY FEE	$45.00	$0.00	$45.00
4% TAX ROLL FEE	$0.00	$0.00	$0.00
INTEREST	$0.00	$0.00	$0.00
INSPECTION COSTS RECOVERY FEE	$660.00	($120.00)	$540.00
LATE FEE	$54.00	$0.00	$54.00
SUB-TOTAL OUT-OF-POCKET COSTS:	$1,059.00	($120.00)	$939.00
CIVIL PENALTIES			
DAILY CIVIL PENALTIES	$19,500.00	$0.00	$19,500.00
TOTAL ALL COSTS, LATE FEE AND PENALTIES			$20,439.00

Property Value Per Zillow.com: $291,074

As of: 04/29/2019

STAFF RECOMMENDATION: DENIAL OF THE WAIVER REQUEST.

If the Hearing Officer desires to approve a waiver of 90%, below are the amounts that would be owed:

Out of Pocket Costs		$939.00
10% of Civil Penalty	+	$2,045.00
Total Due		$2,984.00

Condition of Waiver: Amount to be paid within 30 days or reverts back to original amount due.

OUT-OF-POCKET COSTS	ASSESSED	PAID	OUTSTANDING
ABATEMENT CONTRACT PRICE	$33,030.00	$0.00	$33,030.00
ASBESTOS TESTING CONTRACT PRICE	$825.00	$0.00	$825.00
ADMINISTRATIVE COSTS RECOVERY FEE	$5,078.25	$0.00	$5,078.25
4% TAX ROLL FEE	$3,633.34	$0.00	$3,633.34
INTEREST	$1,984.51	$0.00	$1,984.51
INSPECTION COSTS RECOVERY FEE	$3,120.00	($120.00)	$3,000.00
LATE FEE	$300.00	$0.00	$300.00
SUB-TOTAL OUT-OF-POCKET COSTS:	$47,971.10	($120.00)	$47,851.10
CIVIL PENALTIES			
DAILY CIVIL PENALTIES	$97,500.00	$0.00	$97,500.00
TOTAL ALL COSTS, LATE FEE AND PENALTIES			$145,351.10

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING
CODE ENFORCEMENT DIVISION
333 N. Rancho Dr., 3rd Floor
Las Vegas, NV 89106

Fax (702) 382-4341
TDD (702) 229-6615
E-mail us at codeenforcement@lasvegasnevada.gov

Print Form

Reset Form

Request for a Waiver and/or Reduction of Civil Penalties Application

Date of Application: 03/07/2019

Address of Subject Property: 4550 E VAN BUREN AVE LAS VEGAS NV 89110

Closest Major Intersection: N LAMB BLVD / E OWENS AVE Parcel Number: 140-29-101-016

Applicant Information

Name: _____ Applicant type: ○ Owner ○ Purchaser ○ Agent ○ Other _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ E-mail: _____

Property Owner Information

Name: REALTY DATA GROUP LLC

Address: 11781 MAGNOLIA PARK CT City: LAS VEGAS State: NV Zip: 89141

Phone: (702) 927-4500 Fax: _____ E-mail: CS @ PUERTORICO HOUSING.COM

Describe the reason for the waiver/reduction request (Additional sheets may be attached if needed)

RECENTLY ACQUIRED PROPERTY AND WOULD LIKE TO START REHAB OF SUBJECT PROPERTY TO BRING BLIGHTED NEIGHBORHOOD. MUST NEED HELP OF RECOVERY. WE NEED YOUR HELP IN FORGIVING THESE FEES TO MAKE PROJECT VIABLE TO BUILD RESIDENTIAL BUILDING

Describe the existing condition/situation of the subject property (Additional sheets may be attached if needed)

BARE LOT & FENCING

Describe the immediate plans for the property, including any planned improvements (Additional sheets may be attached if needed)

Amount of City of Las Vegas Lien on Property: $_____ Amount requested for waiver and/or reduction: $ 115,300.77

Property Owners Only

Please review and initial one

W I acknowledge that I am the property owner and understand that I must attend the waiver request hearing.

I as the owner understand that I may only utilize representation by a lawyer if I am not in attendance of the hearing.

_____ My legal representation will be _____

I am the legal property owner and am requesting a hearing by conference call.

_____ The contact number to reach me is _____

Acknowledgements

Please Initial

_____ I acknowledge real estate personnel cannot represent my interest.

_____ I acknowledge that paid fees and fines will not be refunded.

Signature of Applicant: _____ Date: _____

Signature of Property Owner: _____ Date: 3/12/2019

Submit application by fax to 702 382-4341 or mail to: **City of Las Vegas / Neighborhood Response Division**
333 N. Rancho Dr., 3rd Floor
Las Vegas, NV 89106

For Office Use Only

Council Ward: 3 Case/File Number: _____ Council Action date of Lien: _____

174504, 163211, 169582
181505, 187048

Briana Johnson, Assessor

PARCEL OWNERSHIP HISTORY

Assessor Map | Aerial View | Comment Codes | Current Ownership | New Search

ASSESSOR DESCRIPTION
PT NW4 NW4 SEC 29-20-62

CURRENT PARCEL NO.	CURRENT OWNER	%	RECORDED DOCUMENT NO.	RECORDED DATE	VESTING	TAX DIST	EST SIZE	COMMENTS
140-29-101-016	REALTY DATA GROUP L L C		20190221:02882	2/21/2019	NS	200	.60 AC	TAX DEED-20150610:01592

PARCEL NO.	PRIOR OWNER(S)	%	RECORDED DOCUMENT NO.	RECORDED DATE	VESTING	TAX DIST	EST SIZE	COMMENTS
140-29-101-016	SMITH & PARKER L L C		20171101:02528	11/01/2017	NS	200	.6000 AC	TAX DEED-20150610:01592
140-29-101-016	COMPTON CHARLES & BAMBI		20010416:00644	06/10/2015	JT	200	.6000 AC	
140-29-101-016	COMPTON CHARLES & BAMBI		20010416:00644	04/16/2001	JT	200	.6000 AC	
140-29-101-016	COMPTON CHARLES		20010330:00599	03/30/2001	NS	200	.6000 AC	
140-29-101-016	SMITH ROSE MARIE FAMILY TRUST SMITH ROSE MARIE TRS		19920925:01326	09/25/1992	NS	200	.6000 AC	
060-060-009	SMITH ROSE MARIE		0768:0727416	07/27/1977	NS	200	.60 AC	
060-060-009	SMITH ROBERT E & ROSE M		0885:0710768	07/11/1968		200	.60 AC	
060-060-009	SMITH ROBERT E & ROSE M		0885:0710768	07/11/1968		200	.60 AC	INITIAL

Click the following link to view the parcel geneology
Parcel Tree

Note: Only documents from September 15, 1999 through present are available for viewing.

NOTE: THIS RECORD IS FOR ASSESSMENT USE ONLY. NO LIABILITY IS ASSUMED AS TO THE ACCURACY OF THE DATA DELINEATED HEREON.

STATE OF NEVADA
DECLARATION OF VALUE

1. Assessor Parcel Number(s)
   a. 140-29-101-016
   b.
   c.
   d.
2. Type of Property:
   a. [X] Vacant Land b. [ ] Single Fam. Res.
   c. [ ] Condo/Twnhse d. [ ] 2-4 Plex
   e. [ ] Apt. Bldg f. [ ] Comm'l/Ind'l
   g. [ ] Agricultural h. [ ] Mobile Home
   [ ] Other

FOR RECORDERS OPTIONAL USE ONLY
Book: Page:
Date of Recording:
Notes:

UNOFFICIAL COPY

3.a. Total Value/Sales Price of Property $ 74,583.00
   b. Deed in Lieu of Foreclosure Only (value of property) ( )
   c. Transfer Tax Value: $ 74,583.00
   d. Real Property Transfer Tax Due $ 382.50

4. **If Exemption Claimed:**
   a. Transfer Tax Exemption per NRS 375.090, Section
   b. Explain Reason for Exemption:

5. Partial Interest: Percentage being transferred: 100 %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature _____ Capacity: Grantor

Signature _____ Capacity: Grantee

SELLER (GRANTOR) INFORMATION (REQUIRED)			BUYER (GRANTEE) INFORMATION (REQUIRED)		
Print Name:	Smith & Parker, LLC		Print Name:	Realty Data Group, LLC	
Address:	7995 W. Sahara Ave. Suite 101		Address:	322 Karen Ave. Unit 805	
City:	Las Vegas		City:	Las Vegas	
State:	NV	Zip: 89117	State:	NV	Zip: 89109

COMPANY/PERSON REQUESTING RECORDING (Required if not seller or buyer)

Print Name:		Escrow #	
Address:			
City:		State:	Zip:

AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED

City of Las Vegas
Department of Planning
Code Enforcement Case Report

Case # 124504

4550 E VAN BUREN AVE - Map # 02329-23 Parcel 14029101016

Owner Information:

COMPTON CHARLES & BAMBI
4550 E VAN BUREN AVE
LAS VEGAS, NV 89110-1323

Zoning Information: R-E(RESIDENCE ESTATES) **CDBG Area: N** **Census Tract:** 513

Case Comments: Hotline: abandoned home, dead vegetation, home is unsecured and vagrants inside of home.

Case Assigned To: ANTHONY GUARINO
Follow Up Inspection Date:

Date Case Opened: February 04, 2013
Ward: 3

Date Case Resolved: August 12, 2013
Source: CITZ

Property Info/Status: HOA: N Vacant: N Foreclosure: Y Secure: N

Violations:

Violation

Violation Date	Status/Completed Date	Location
Comments		
AB-005: UAC 301.1 PERMITS REQUIRED		
2/5/13	OPEN	Residence
Obtain demo permit for fire damaged property.		
AB-006D: 16.08.010 UDB SEC 302 (04)		
2/25/13	OPEN	Fire damaged building
Building is structurally unstable.		
AB-006E: 16.08.010 UDB SEC 302 (05)		
3/11/13	OPEN	Fire damaged building
Fire damaged building is structurally unsafe.		
AB-006F: 16.08.010 UDB SEC 302 (06)		
2/25/13	OPEN	Fire damaged structure
Fire damaged building is structurally unsafe.		
AB-006G: 16.08.010 UDB SEC 302 (07)		
3/11/13	OPEN	Fire damaged building
Fire damaged building is structurally unsafe.		
AB-006H: 16.08.010 UDB SEC 302 (08)		
3/11/13	OPEN	Fire damaged building
Fire damaged building is structurally unsound.		
AB-006I: 16.08.010 UDB SEC 302 (09)		
3/11/13	OPEN	Fire damaged building
Fire damaged structure is unsafe		
AB-006J: 16.08.010 UDB SEC 302 (10)		
3/11/13	OPEN	Fire damaged building
Fire damaged building is structurally unsafe.		
AB-006K: 16.08.010 UDB SEC 302 (11)		
2/25/13	OPEN	Fire damaged structure
Fire damaged structure is structurally unsafe.		
AB-006L: 16.08.010 UDB SEC 302 (12)		
2/25/13	OPEN	Fire damaged structure
Fire damaged building is structurally unsafe.		

AB-006M: 16.08.010 UDB SEC 302 (13)

2/25/13 OPEN Fire damaged building

Fire damaged building is structurally unsafe.

AB-006N: 16.08.010 UDB SEC 302 (14)

2/25/13 OPEN Fire damaged building

Fire damaged building is structurally unsafe.

AB-006O: 16.08.010 UDB SEC 302 (15)

3/11/13 OPEN Fire damaged building

Fire damaged building is structurally unsafe.

AB-006Q: 16.08.010 UDB SEC 302 (17)

3/11/13 OPEN Fire damaged building

Fire damaged structure is a public nuisance.

AB-006R: 16.08.010 UDB SEC 302 (18)

2/25/13 OPEN Fire damaged building.

Fire damaged building is an attractive nuisance.

AB-006S: 16.08.010 UDB SEC 302 (19)

2/25/13 OPEN Fire damaged building

Fire damaged building is an unsafe building and a public nuisance.Demolish building and remove foundation. Cap off sewer line at property line.

AN-003: 9.04.010 (4) REFUSE & WASTE

2/5/13 OPEN All areas

Remove all refuse and waste from all areas of property. Maintain at all times.

AN-006: 9.04.010(8)(A) HIGH VEGETATION

2/5/13 OPEN Parcel / perimeter

Remove all high grass or weeds over 8" inches from all visible areas of property and maintain.

Chronology of Events:

February 05, 2013 **Insp#: 1389576**

17) I observed a fire damaged house, high weeds, wind blown trash. This is now a Fannie Mae property per Sandra Harrington at BAC. Notice to Christine Minor.

February 05, 2013 **CORRECTION NOTICE ISSUED**

February 14, 2013 **PHOTO & DOCUMENT ELECT MGT**

17

February 20, 2013 **Insp#: 1390708**

17) No change, switch to N&O.

February 25, 2013 **Insp#: 1396901**

31)Pictures taken of one story house. See eB for photo journal of conditions. Property appears to have septic leachfield at rear yard. Partial pass is made for todays investigation/survey. Prepared assessment and property research/ownership research. Began the demolition order with corrections in Hansen case file.

March 11, 2013 **REPORT PREPARATION**

31)Returned file to S.Demoleas to continue completion of N&O processing

March 12, 2013 **RESEARCH**

17) This mortgage was originally with Bank of America, paid in full in 2007 and re-financed with Countrywide in 2009. Spoke with Ryan at Priority posting 714-573-7777 who stated that Trustee Corp representing Countrywide in Trustee Sale had canceled sale and did not reschedule.

March 12, 2013 **PHONE CALL**

17) Spoke with Omar at MTC Financial, 714-939-3880. He stated that his file is closed as they are not pursuing trustee sale due to fire, but Bank of America owns it. He recommended I copy his supervisor Amy Lemus on N&O as she can also contact Bank of America. alemur@trusteecorps.com. Last abatement was completed by Bank of America June 2011.

March 13, 2013	**NOTICE AND ORDER ISSUED**
March 18, 2013	**NOTICE AND ORDER PROCESSING**
	21)CK signed demo oreder- Refer file to 17 for posting. Mailings done all cc's.
March 18, 2013	**EMAIL SENT OR RECEIVED**
	17) Emailed Notice & Order to Safeguard and B of A.
March 19, 2013	**Insp#: 1398841**
	17) N&O posted, no change in condition
March 26, 2013	**RECORDED DOCUMENT**
	Ld) Recorded N&O dated 3/13/13
April 01, 2013	**PROCEED WITH ABATEMENT**
	17) To 21 to get bids.
April 01, 2013	**BID REQUEST BY OFFICER**
	21) Refer to office staff for bids to demo.
April 01, 2013	**BID PREPERATION**
	bid prep
April 01, 2013	**BID REQUEST SENT**
	Asbestos bid sent. Bids due 4/4
April 01, 2013	**Insp#: 1409737**
	17) No change, proceed with bids.
April 09, 2013	**BID RECEIVED**
	Recorded & scanned bid received: 1)Camair=$825; 2)GCA=$900
April 09, 2013	**ADMINSTRATIVE**
	bid approval given to #21
April 10, 2013	**ADMINSTRATIVE**
	Asbestos PO requested. Pending MB approval
April 17, 2013	**CORRECTION NOTICE ISSUED**
April 24, 2013	**BID AWARDED TO CONTRACTOR**
	Asbestos bid award letter sent to CamAir.
April 24, 2013	**AWARD OF BID**
May 02, 2013	**BID PREPERATION**
	Demo bid prep
May 02, 2013	**BID REQUEST SENT**
	RFQ sent to contractors. Bids due 5/7
May 08, 2013	**BID RECEIVED**
	Recorded & scanned bids received: 1)GCA=$23,935; 2)Weaver=$29,970 3)Baldwin=$35,500

May 08, 2013	**ADMINSTRATIVE**
	Bid approval given to #21
May 08, 2013	**10 DAY NOTICE PROCESSING**
	10 day sent. File given to #17 for posting
May 08, 2013	**10 DAY BEFORE ABATEMENT NOTICE**
May 08, 2013	**Insp#: 1416197**
	17) Posted 10-day, no change in condition.
May 16, 2013	**Insp#: 1435154**
	17) Pix, assess fee, award bid. To 21.
May 28, 2013	**PHONE CALL**
	17) Proeprty has been released to Freddie Mac, called representative Karen Long and left message. 703-762-4857
July 03, 2013	**ADMINSTRATIVE**
	PO requested. Pending MB approval
July 08, 2013	**ADMINSTRATIVE**
	start date requested from #21
July 09, 2013	**BID AWARDED TO CONTRACTOR**
	award letter sent to CGI
July 09, 2013	**VIDEO REQUEST**
	before video requested from #21
July 09, 2013	**AWARD OF BID**
July 25, 2013	**PRE-ABATEMENT VIDEO**
	21)Photos in f drive
July 25, 2013	**Insp#: 1439171**
	21) Photos in f drive- heavily damaged structure- entire roof assembly gone. Rear portion of house also destroyed from fire.minor trash in front yard. Few pieces of furniture and plastic bags of trash in rear yard area- very deep lot,possibly from persons dumping on site. High weeds throughout lot. Graffiti on perimeter blockwall. Refer CGI.
August 05, 2013	**OFFICER NOTE**
	21)This property on septic- contractor/CGI needs another $500 to pump and remove tank.
August 05, 2013	**PHONE CALL**
	21)Owner of record called- Bambi 509-758-7077. She now lives in Washington state. Gave up property in BK. I advised her to seng any related paperwork and she or family member may want to attend CC meeting for lien and explain they no longer have interest in property.
August 08, 2013	**PHONE CALL**
	21)Received phone call from owner of record- Bambi: She stated she gave up property in BK years ago.She is receiving fee statements. I explained as long as name is on CC Assessor record CLV will continue to send her notification. Also advised to send BK paperwork and to have her or family member show up at CC hearing for lien. Bambi stated she now lives in Washington state.
August 12, 2013	**POST-ABATEMENT VIDEO**
	21)Photos in f drive

August 12, 2013	**Insp#: 1475397**	
	21)Photos in f drive- House and all contents now demolished and removed from site. Debris in rear of lot and weeds also removed. Lot graded. CGI/ close	
August 13, 2013	**VIDEO REQUEST**	
	After video requested from #21	
September 12, 2013	**ADMINSTRATIVE**	
	invoice scanned & recorded. File given to #19	
September 26, 2013	**CITY COUNCIL AGENDA PREP**	
	Ld) Scheduled to go before Council 10/16/13, sent report of expenses letter to owner	
October 03, 2013	**NOTICE OF PUBLIC HEARING POST**	
	33) Posted Notice of Hearing on wall of vacant lot, photo's taken.	
November 19, 2013	**RECORDED DOCUMENT**	
	Ld) Recorded Lien in the amount of $29,596.00	
April 03, 2014	**RECORDED DOCUMENT**	
	Ld) Recorded Lien in the amount of $19,500.00	

Fees:

Fee Name	Amount	Status	Fee Added	Fee Paid
RESIDENTIAL INSPECTION FEE	$120.00	U	02/20/2013	
RESIDENTIAL REINSPECTION FEE	$180.00	U	03/19/2013	
RESIDENTIAL REINSPECTION FEE	$180.00	U	04/01/2013	
SECOND RESIDENTIAL CIVIL PENALTY	$300.00	U	04/01/2013	
LATE FEE	$12.00	U	04/07/2013	
ADMINISTRATIVE	$123.75	U	04/24/2013	
LATE FEE	$18.00	U	05/04/2013	
RESIDENTIAL REINSPECTION FEE	$180.00	U	05/08/2013	
THIRD RESIDENTIAL CIVIL PENALTY	$500.00	U	05/08/2013	
RESIDENTIAL REINSPECTION FEE	$180.00	U	05/16/2013	
FOURTH RESIDENTIAL CIVIL PENALTY	$500.00	U	05/16/2013	
LATE FEE	$18.00	U	05/17/2013	
LATE FEE	$18.00	U	06/23/2013	
LATE FEE	$18.00	U	07/01/2013	
NUISANCE ABATEMENT FEE	$23,935.00	U	07/09/2013	
ADMINISTRATIVE	$3,590.25	U	07/09/2013	
RESIDENTIAL REINSPECTION FEE	$180.00	U	07/25/2013	
RECURRING RESIDENTIAL CIVIL PENALTY	$500.00	U	07/25/2013	
LATE FEE	$18.00	U	09/09/2013	
ASBESTOS BID COSTS	$825.00	U	09/18/2013	
RESIDENTIAL DAILY CIVIL PENALTY FEE	$17,700.00	U	10/17/2013	
CC TAXROLL FEE	$2,069.27	U	01/24/2018	
CLV INTEREST FOR TAXROLL	$2,635.72	U	01/24/2018	

Total Amount Due: **$53,800.99**

Total Amount Paid: $ -

City of Las Vegas
Department of Planning
Code Enforcement Case Report

Case # 163211

4550 E VAN BUREN AVE - Map # 02329-23 Parcel 14029101016

Owner Information:

TRUSTEE CLARK COUNTY TREASURER
4550 E VAN BUREN AVE
LAS VEGAS, NV 89110-1323

Zoning Information: R-E(RESIDENCE ESTATES) **CDBG Area: N** **Census Tract:** 513

Case Comments: TIRES, SOFAS, OTHER TRASH & DEBRIS IN EMPTY LOT, GRAFFITI

CARLA 702-542-5602

Case Assigned To: STEPHANIE DEMOLEAS Follow Up Inspection Date:

Date Case Opened: February 08, 2016 Ward: 3

Date Case Resolved: May 17, 2016 Source: CITZ

Property Info/Status: HOA: N Vacant: N Foreclosure: Y Secure: N

Violations:

Violation

Violation Date	Status/Completed Date	Location
Comments		

AN-003: 9.04.010 (4) REFUSE & WASTE

2/9/16 OPEN Vacant lot

Remove all refuse and waste from all areas of property. Maintain at all times. Includes all dumped debris, furniture, fallen tree, dead vegetation on entire vacant lot and bordering sidewalk area.

AN-005: 9.04.010 (8) GENERAL NUISANCE

2/9/16 OPEN Front perimeter

Install temporary fence along front perimeter of property line to prevent access onto property.

Install temporary fence along front perimeter of property line to prevent access onto property. Display "No Tresspassing / No Dumping" signage prominently on parcel.

Chronology of Events:

February 09, 2016 **Insp#: 1989093**

17) Verified, lot is filled with dumped furniture, fallen tree, loose trash. CLV did last abatement, so going straight to N&O. Last abatement showed Freddie Mac as owner, emailed last contact for update as Assessors records do not reflect any change.
deloise_browne-milner@freddiemac.com

Deloise Browne-Milner, Special Assets Manager
Loss Recovery & Preservation Operations, NPL-Single Family Servicing
Phone: 703-714-3405, Blackberry: 571-314-3985

February 10, 2016 **NOTICE AND ORDER REQUEST**

17) To 21 with photos, property is now a vacant lot owned by Freddie Mac.

February 10, 2016 **NOTICE AND ORDER PROCESSING**

admin jlancaster gave file to CE officer 17 for posting

February 10, 2016 **NOTICE AND ORDER ISSUED**

February 11, 2016	**Insp#: 1989997**
	17) NOtice and order posted on vacant lot,
March 02, 2016	**PROCEED WITH ABATEMENT**
	17) To 21 to obtain bids.
March 02, 2016	**Insp#: 1506**
	17) No change in condition, no response from owner, proceeds with bids.
March 02, 2016	**Insp#: 1991558**
	17) No change in condition, no response from owner, proceeds with bids.
March 10, 2016	**BID PREPERATION**
	Bid Preparation - awaiting fax receipt
March 10, 2016	**BID REQUEST SENT**
	RFQ sent to contractors due 3-15-16 by 5:00 pm
March 22, 2016	**BID RECEIVED**
	Scanned & recorded bids received
March 22, 2016	**ADMINSTRATIVE**
	Bid approval given to #21
March 22, 2016	**10 DAY NOTICE PROCESSING**
	10 Day notice before abatement sent, file given to #17 for posting.
March 22, 2016	**10 DAY BEFORE ABATEMENT NOTICE**
March 24, 2016	**Insp#: 2002829**
	17) Posted 10-day, no change in condition.
March 29, 2016	**PHONE CALL**
	Complainant states overgrown weeds at the sidewalk on Van Buren.
April 04, 2016	**Insp#: 2014379**
	17) PIx, assess fee, award bid.
April 11, 2016	**ADMINSTRATIVE**
	Ld) PO requested
April 13, 2016	**VIDEO REQUEST**
	Ld) PO 357763 approved, sent before abatement video request to #21
April 27, 2016	**AWARD OF BID**
May 04, 2016	**VIDEO REQUEST**
	Ld) sent after abatement video request to #21
May 04, 2016	**PRE-ABATEMENT VIDEO**
	21)photos in f drive
May 09, 2016	**Insp#: 2019276**
	21)Vacant lot- high weeds,vegetation. Persons camping under trees with actual camper. Debris throughout the lot. Contractor will build a dirt berm in effort to keep tresspassors out. Large No TP sign to be installed. WEAVER

May 17, 2016	**POST-ABATEMENT VIDEO**	
	21)photos in f drive.	
May 17, 2016	**Insp#: 2039054**	
	21)vacant lot: Dumped debris,windblown litter removed.Large overgrown vegatation cut down removing shade to camp. Large sign installed - no tresspassing/dumping.Berm created to prevent access to property. WEAVER/ close	
June 16, 2016	**NOTICE OF PUBLIC HEARING POST**	
	37) Posted notice of Code Enforcement Hearing posted on sign of vacant lot.	

Fees:

Fee Name	Amount	Status	Fee Added	Fee Paid
RESIDENTIAL INSPECTION FEE	$120.00	U	03/02/2016	
RESIDENTIAL REINSPECTION FEE	$180.00	U	03/24/2016	
SECOND RESIDENTIAL CIVIL PENALTY	$300.00	U	03/24/2016	
RESIDENTIAL REINSPECTION FEE	$180.00	U	04/04/2016	
THIRD RESIDENTIAL CIVIL PENALTY	$500.00	U	04/04/2016	
LATE FEE	$12.00	U	04/17/2016	
NUISANCE ABATEMENT FEE	$3,495.00	U	04/27/2016	
ADMINISTRATIVE	$524.25	U	04/27/2016	
LATE FEE	$18.00	U	05/09/2016	
RESIDENTIAL REINSPECTION FEE	$180.00	U	05/09/2016	
FOURTH RESIDENTIAL CIVIL PENALTY	$500.00	U	05/09/2016	
LATE FEE	$18.00	U	05/20/2016	
LATE FEE	$18.00	U	06/24/2016	
RESIDENTIAL DAILY CIVIL PENALTY FEE	$18,200.00	U	07/01/2016	
CLV INTEREST FOR TAXROLL	$695.24	U	06/25/2018	
CC TAXROLL FEE	$997.62	U	06/25/2018	

Total Amount Due: **$25,938.11**

Total Amount Paid: **$** **-**

City of Las Vegas
Department of Planning
Code Enforcement Case Report

Case # 169582

4550 E VAN BUREN AVE - Map # 02329-23 Parcel 14029101016

Owner Information:

TRUSTEE CLARK COUNTY TREASURER
4550 E VAN BUREN AVE
LAS VEGAS, NV 89110-1323

Zoning Information: R-E(RESIDENCE ESTATES) **CDBG Area: N** **Census Tract:** 513

Case Comments: Complainant states trash, mattress, and graffiti on the sign & wall in the vacant lot.

Anonymous_702-542-5602

Case Assigned To: ELIZABETH BYRNE Follow Up Inspection Date:

Date Case Opened: August 10, 2016 Ward: 3

Date Case Resolved: November 30, 2016 Source: CITZ

Property Info/Status: HOA: N Vacant: N Foreclosure: Secure: N

Violations:

Violation

Violation Date	Status/Completed Date	Location
Comments		

AN-003: 9.04.010 (4) REFUSE & WASTE
8/11/16 OPEN Property
Remove all refuse and waste from all areas of property. Maintain at all times.

AN-006: 9.04.010(8)(A) HIGH VEGETATION
8/11/16 OPEN Property
Remove all high grass or weeds over 8" inches from all visible areas of property and maintain.

AN-007: 9.04.010(8)(B) DEAD VEGETATION
8/11/16 OPEN Property
Remove all dead vegetation from all areas of property. Maintain free of dead debris at all times.

AN-008: 9.04.010 (8)(C) GRAFFITI
8/11/16 OPEN Property to include walls and sign
Remove all graffiti from property and maintain free of graffiti at all times.

Chronology of Events:

August 11, 2016 **Insp#: 2088154**

40 - I walked the vacant lot and found graffiti on the walls and the sign; high weeds and some dead vegetation; two mattresses have been dumped at the edge of the property, by the right of way. CLV abated the property in the past few months. I will move to NNO. Reinspect by August 25th.

August 25, 2016 **PHONE CALL**

40 - I left a message for Deloise Browne-Milner, Freddie Mac, 703-714-3405 advising the property is in violation again. I retrieved this information from the previous case.

August 25, 2016 **LEXIS NEXIS REPORT**

Advanced Person and RealTime phones search-results found-referred to CE officer#40

August 30, 2016	**PHONE CALL**	
	40 - I called 509-758-7077, a number obtained through Lexus and it went to a recording, not a valid number.	
August 30, 2016	**PHONE CALL**	
	40 - I called 702-278-0332, a number obtained through Lexus and received a Verizon recording that the number can not be reached.	
August 30, 2016	**PHONE CALL**	
	40 - I called 702-341-6657, a number obtained through Lexus and reached a disconnect recording.	
August 30, 2016	**PHONE CALL**	
	40 - I called 702-877-3155, a number I obtained through Lexus and reached a disconnect recording.	
August 30, 2016	**OFFICER NOTE**	
	40 - I have researched the ownership through all available methods and I have been unable to reach a responsible party for the property. The property was abated in May, 2016. Moving to NNO, case file to 21.	
September 26, 2016	**NOTICE AND ORDER PROCESSING**	
	FILE TO 40 FOR POSTING	
September 26, 2016	**NOTICE AND ORDER ISSUED**	
September 27, 2016	**Insp#: 2088307**	
	40 - I posted the Notice and Order at the property and took a photo. Reinspect October 12th	
October 10, 2016	**BID REQUEST BY OFFICER**	
	40 - Bid request approved by 21. Case file to Admin for processing.	
October 10, 2016	**Insp#: 2111832**	
	40 - I inspected and found no change/improvement. All violations remain. I took photos. I will submit a bid sheet to 21 today. Reinspect Oct 24th.	
October 11, 2016	**BID PREPERATION**	
	Bid Preparation - awaiting fax receipt	
October 11, 2016	**BID REQUEST SENT**	
	RFQ sent to contractors due 10-15-16 by 5:00 pm	
October 17, 2016	**BID RECEIVED**	
	Scanned & recorded bids received	
October 18, 2016	**ADMINSTRATIVE**	
	Bid approval given to #21	
October 18, 2016	**10 DAY NOTICE PROCESSING**	
	10 Day notice before abatement sent, file given to #40 for posting.	
October 18, 2016	**10 DAY BEFORE ABATEMENT NOTICE**	
October 20, 2016	**Insp#: 2117995**	
	40 - I posted the 10 Day Notice before Abatement at the property and took a photo. Reinspect Nov 3rd.	
November 02, 2016	**BID REQUEST BY OFFICER**	
	40 - Case file to 21 for bid approval	

November 02, 2016 **OFFICER NOTE**

40 - I checked the CC Assessor's page and there is no change in ownership.

November 02, 2016 **OFFICER NOTE**

40 - Case file to 21 for bid approval. PRE photos have been uploaded to F drive.

November 02, 2016 **Insp#: 2124140**

40 - I inspected and found all violations remain at the property. I took photos. Failing inspection. Moving forward with abatement. Reinspect by Nov 9th

November 07, 2016 **PROCEED WITH ABATEMENT**

21)refer to office staff LD

November 09, 2016 **VIDEO REQUEST**

Ld) PO 366901 approved, sent before abatement video request to #21

November 10, 2016 **Insp#: 2131121**

40 - I inspected and found no change/improvement. I took pre abatement photos and will upload to the F drive and notify 21 to proceed with the abatement. Reinspect Nov 21st

November 16, 2016 **AWARD OF BID**

November 29, 2016 **VIDEO REQUEST**

Ld) job completed per Junkman sent after abatement video request to #21

November 30, 2016 **Insp#: 2135296**

40 - I inspected and found the lot to be clear of all debris, vegetation and graffiti. A chain link fence and new sign have been installed. I took POST photos and will download to F drive. No other visible violations. Case closed.

January 12, 2017 **NOTICE OF PUBLIC HEARING POST**

40 - I posted the Notice of Hearing at the property and took a photo.

Fees:

Fee Name	Amount	Status	Fee Added	Fee Paid
RESIDENTIAL INSPECTION FEE	$120.00	U	10/10/2016	
FIRST RESIDENTIAL CIVIL PENALTY	$150.00	U	11/02/2016	
RESIDENTIAL REINSPECTION FEE	$180.00	U	11/02/2016	
RESIDENTIAL REINSPECTION FEE	$180.00	U	11/10/2016	
SECOND RESIDENTIAL CIVIL PENALTY	$300.00	U	11/10/2016	
NUISANCE ABATEMENT FEE	$3,600.00	U	11/16/2016	
ADMINISTRATIVE	$540.00	U	11/16/2016	
LATE FEE	$12.00	U	11/25/2016	
LATE FEE	$18.00	U	12/18/2016	
LATE FEE	$18.00	U	12/26/2016	
RESIDENTIAL DAILY CIVIL PENALTY FEE	$19,050.00	U	01/26/2017	

Total Amount Due: **$24,168.00**

Total Amount Paid: $ -

City of Las Vegas
Department of Planning
Code Enforcement Case Report

Case # 181505

4550 E VAN BUREN AVE - Map # 02329-23 Parcel 14029101016

Owner Information:

COMPTON CHARLES & BAMBI
4550 E VAN BUREN AVE
LAS VEGAS, NV 89110-1323

Zoning Information: R-E(RESIDENCE ESTATES) **CDBG Area: N** **Census Tract:** 513

Case Comments: tags all inside property and vegetation is out of control please send to code owner needs to take care of this

Case Assigned To: ELIZABETH BYRNE
Follow Up Inspection Date:

Date Case Opened: August 09, 2017
Ward: 3

Date Case Resolved: November 21, 2017
Source: WEB

Property Info/Status: HOA: N Vacant: N Foreclosure: N Secure: N

Violations:

Violation

Violation Date	Status/Completed Date	Location
Comments		

AN-003: 9.04.010 (4) REFUSE & WASTE
8/10/17 OPEN Entire lot
Remove any and all trash/debris and keep maintained

AN-006: 9.04.010(8)(A) HIGH VEGETATION
OPEN Entire lot
Cut all high weeds/grass and keep maintained

AN-007: 9.04.010(8)(B) DEAD VEGETATION
OPEN Entire lot
Remove any and all dead vegetation and keep maintained

AN-008: 9.04.010 (8)(C) GRAFFITI
8/28/17 OPEN Property to include sign and block wall.
Remove all graffiti from property and maintain free of graffiti at all times.

Chronology of Events:

August 14, 2017 **Insp#: 2250404**

30) Observed high weeds/grass and trash/debris in vacant lot CN mailed call back 8.28.2017

August 14, 2017 **CORRECTION NOTICE ISSUED**

August 28, 2017 **OFFICER NOTE**

40- NNO from case 169582 has been downloaded to EB. A paper copy is in the case file.

August 28, 2017 **RESEARCH**

40- There has been no change in ownership and no response from the owner after correction notice was mailed. Requesting we move forward with abatement. Case file to 21.

August 28, 2017 **BID REQUEST BY OFFICER**

40- Case file to 21 with abatement bid sheet, requesting abatement.

August 28, 2017	**Insp#: 2250858**	
	40 - I inspected and found high and dead veg; graffiti on sign and block wall; debris. Requesting ROW next to lot be cleaned. I took photos. Failed inspection. Moving forward with abatement based on NNO from case 169582. Case file to 21 today. Recheck case by Sept 6th.	
September 05, 2017	**BID REQUEST BY OFFICER**	
	21)refer file to GF for bids- using previous case NNO. Will send copy of NNO with 10 day before.	
September 06, 2017	**BID PREPERATION**	
	Bid Preparation - awaiting fax receipt	
September 06, 2017	**CORRECTION NOTICE ISSUED**	
September 07, 2017	**BID REQUEST SENT**	
	RFQ sent to contractors due 9-11-2017 by 5:00 pm	
September 12, 2017	**BID RECEIVED**	
	Scanned & recorded - bids received	
September 13, 2017	**BID RECEIVED**	
	Scanned & recorded - late bids received	
September 18, 2017	**ADMINSTRATIVE**	
	Bid approval given to #21	
September 18, 2017	**10 DAY NOTICE PROCESSING**	
	10 Day notice before abatement sent, file given to #40 for posting.	
September 18, 2017	**10 DAY BEFORE ABATEMENT NOTICE**	
September 19, 2017	**Insp#: 2252275**	
	40- I posted the 10 day at the property and took a photo. Reinspect Oct 2nd.	
October 02, 2017	**OFFICER NOTE**	
	40- Case file to 21 advising to move forward with	
October 02, 2017	**Insp#: 2254164**	
	40- I inspected and found all violations remain. Will advise 21 to move forward with abatement.. I took photos. Failed inspection. Reinspect Oct 16th. 10/19 - Rescheduling case for 10/23 - I am waiting for Lexus report per 21 before proceeding with abatement.	
October 16, 2017	**RESEARCH**	
	40- I updated the contact info with Freddie Mac, copied from a previous case.	
October 17, 2017	**EMAIL SENT OR RECEIVED**	
	40- I emailed Gary and requested a Lexus report for the owner. He is not in the office today. Scheduling to check case on 10/19/17.	
October 23, 2017	**LEXIS NEXIS REPORT**	
	Advanced Person and RealTime phones search x2-results found-referred to CE officer#40	
October 23, 2017	**RESEARCH**	
	40- I updated the contact info with an additional address obtained from Lexus for Charles Compton in WA.	
October 23, 2017	**RESEARCH**	
	40- I updated the contact info with an additional address for Bambi Compton in Texas, obtained from Lexus.	

October 23, 2017 **PHONE CALL**

40- I called 509-758-7077, number obtained from Lexus and it went to a disconnect.

October 23, 2017 **MEETING**

40- I met with 21 and advised I had added 2 additional addresses from Lexus search to contacts. We decided to cert mail NNO and 10 day to new addresses and check case by Nov 13th to move forward with abatement.

October 25, 2017 **ADMINSTRATIVE**

Ld) PO requested

October 30, 2017 **VIDEO REQUEST**

Ld) PO 382790 approved, sent before abatement video/start date request to #21

October 31, 2017 **AWARD OF BID**

November 01, 2017 **Insp#: 2255365**

40- I took PRE abatement photos. Downloaded to F drive and turned in paperwork to 21 to move forward with abatment. Reinspect Nov 9th or when abatement has been completed.

November 06, 2017 **PHONE CALL**

NEW WEB COMPLAINT # 988365:please send to code im getting many complaints about this empty lot it is covered in tags owner needs to paint

November 14, 2017 **VIDEO REQUEST**

Ld) received invoice & sent after abatement video request to #21

November 15, 2017 **Insp#: 2258165**

40- I inspected and all of the weeds, dead veg, debris and graffit have been removed. There is a new small tag on the east block wall and the sign has been tagged. I took photos and will advise 21 before closing case. Recheck by Nov 20th.

November 20, 2017 **PHONE CALL**

40- I spoke with Monica from Junkman, 702-527-5865 and advised the graffiti on the sign needs to be covered and asked if they could cover the new tag on the east block wall. She will call me when they have completed the work so I may schedule my inspection.

November 21, 2017 **Insp#: 2259431**

40- I inspected and found no graffiti, no debris, no dead or high vegetation. I took POST photos. Case closed.

Fees:

Fee Name	Amount	Status	Fee Added	Fee Paid
RESIDENTIAL INSPECTION FEE	$120.00	U	08/28/2017	
RESIDENTIAL REINSPECTION FEE	$180.00	U	10/02/2017	
FIRST RESIDENTIAL CIVIL PENALTY	$150.00	U	10/02/2017	
LATE FEE	$12.00	U	10/13/2017	
ADMINISTRATIVE	$255.00	U	10/31/2017	
NUISANCE ABATEMENT FEE	$1,700.00	U	10/31/2017	
LATE FEE	$18.00	U	11/17/2017	
RESIDENTIAL DAILY CIVIL PENALTY FEE	$19,350.00	U	02/01/2018	

Total Amount Due: **$21,785.00**

Total Amount Paid: **$** -

City of Las Vegas
Department of Planning
Code Enforcement Case Report

Case # 187048

4550 E VAN BUREN AVE - Map # 02329-23 Parcel 14029101016

Owner Information:

SMITH & PARKER L L C
7995 W SAHARA AVE#101
LAS VEGAS, NV 89117

Zoning Information: R-E(RESIDENCE ESTATES) **CDBG Area: N** **Census Tract:** 513

Case Comments: graffitti-please send to code private property owner needs to paint

Case Assigned To: ERIC MCCOY
Follow Up Inspection Date:

Date Case Opened: March 28, 2018
Ward: 3

Date Case Resolved: August 09, 2018
Source: WEB

Property Info/Status: HOA: N Vacant: N Foreclosure: N Secure: N

Violations:

Violation

Violation Date	Status/Completed Date	Location
Comments		

AN-008: 9.04.010 (8)(C) GRAFFITI
3/29/18 OPEN Block wall south side of property
Remove all graffiti from property and maintain free of graffiti at all times.

Chronology of Events:

March 29, 2018 **Insp#: 2268190**

16) Graffiti on block wall in rear of property that is a vacant lot and fenced. Will mail to owner of record, but property is under the wings od Treasurer. CB 4-12

April 04, 2018 **CORRECTION NOTICE ISSUED**

April 24, 2018 **Insp#: 2268410**

16) graffiti was removed and now painted over again. will send a revised notice with a note to call me cb 5-6

May 10, 2018 **Insp#: 2270611**

16) Graffiti remains, Picture, fail, fee. Mail with pictures to owner of record. CB 5-21

May 30, 2018 **LEXIS NEXIS REPORT**

Advanced Person and RealTime phones search-results found-referred to CE officer#16

May 31, 2018 **RESEARCH**

16) Property shows owned by an LLC, but is on the Trustee list

May 31, 2018 **RECORDERS RESEARCH**

16)No defaults filed. There is is lien added in 2/2018 for another abatement.

May 31, 2018 **RESEARCH**

16)Added the Registered Agent from the Business Entity search

May 31, 2018	**FORECLOSURE REGISTRY INFO**	
	16) Foreclosure registry states there is a new owner as of 4/2 but it is not showing at all on Assessor or Recorder	
May 31, 2018	**LEXIS NEXIS REPORT**	
	16) Possible phone number of 702-280-5833	
May 31, 2018	**NOTICE AND ORDER REQUEST**	
	16) Notice and Order prepared and forwarded to 25 for review.	
June 04, 2018	**NOTICE AND ORDER REQUEST**	
	25] File to EW	
June 05, 2018	**NOTICE AND ORDER ISSUED**	
June 05, 2018	**Insp#: 2273030**	
	16) Notice and Order posted on fence facing Van Buren, CB 6-18	
June 18, 2018	**Insp#: 2275980**	
	16) Graffit remains. Picture taken. Prepare bid sheet. CB 7-10	
June 29, 2018	**10 DAY NOTICE PROCESSING**	
	25] Bid for 10 day to GF	
July 02, 2018	**BID PREPERATION**	
	Bid Preparation - awaiting fax receipt & email	
July 02, 2018	**BID REQUEST SENT**	
	RFQ sent to contractors due 7-6-2018 by 5:00 pm	
July 10, 2018	**BID RECEIVED**	
	Scanned & recorded - bids received	
July 10, 2018	**ADMINSTRATIVE**	
	Bid approval given to #19	
July 10, 2018	**10 DAY NOTICE PROCESSING**	
	10 Day notice before abatement sent, file given to #16 for posting.	
July 10, 2018	**10 DAY BEFORE ABATEMENT NOTICE**	
July 24, 2018	**PROCEED WITH ABATEMENT**	
	16) Proceed with abatement.	
July 24, 2018	**Insp#: 2277826**	
	16) Graffiti remains. Posted 10 day on fence. CB 7-23	
July 25, 2018	**RESEARCH**	
	16) NO new ownership seen. Proceed with abatement.	
July 25, 2018	**PROCEED WITH ABATEMENT**	
	25] Reviewed file. Sending to LD to go forward with contractor abatement	
July 25, 2018	**ADMINSTRATIVE**	
	Ld) PO requested	

July 31, 2018	**VIDEO REQUEST**	
	Ld) PO 394777 approved, gave before abatement/start date request to #25	
July 31, 2018	**PRE-ABATEMENT VIDEO**	
	25] PRE Abate sheet to 43 officer 16 out all week to be completed by Thur 8/2	
July 31, 2018	**EMAIL SENT OR RECEIVED**	
	25] 'chris@vegasjunkman.com' need start date after Monday 8/6	
August 01, 2018	**Insp#: 2280234**	
	16) Graffiti remains. Pictures taken for Preabatement. CB 8-13	
August 04, 2018	**EMAIL SENT OR RECEIVED**	
	25] Email from JUNKMAN start Van Buren Aug 7th Chris Cherney P 702.527.5865 C 702.303-1321	
August 04, 2018	**EMAIL SENT OR RECEIVED**	
	25] forward to LD JUNKMAN / AUG 7th	
August 04, 2018	**EMAIL SENT OR RECEIVED**	
	25] Proceed sent to JUNKMAN for Aug 8th	
August 07, 2018	**AWARD OF BID**	
August 08, 2018	**VIDEO REQUEST**	
	Ld) received invoice & gave after abatement video request to #25	
August 09, 2018	**POST-ABATEMENT VIDEO**	
	25] POST ABATEMENT SHEET given to officer 16	
August 09, 2018	**Insp#: 2281070**	
	42) 8-09-18 Observed that the graffiti had been removed. Pictures taken. Case closed.	
August 28, 2018	**REVIEW**	
	25] REVIEW of case found abatement completed/pay contractor to JL	
August 28, 2018	**ADMINSTRATIVE**	
	Invoice sent to AR 8/28/18 as not seeing that it was previuosly recieved or sent- JLancaster	
October 22, 2018	**OFFICER NOTE**	
	42) Posted Notice of Code Enforcement Hearing. Pictures taken.	

Fees:

Fee Name	Amount	Status	Fee Added	Fee Paid
RESIDENTIAL INSPECTION FEE	$120.00	P	05/10/2018	06/06/2018
RESIDENTIAL REINSPECTION FEE	$180.00	U	06/26/2018	
FIRST RESIDENTIAL CIVIL PENALTY	$150.00	U	06/26/2018	
RESIDENTIAL REINSPECTION FEE	$180.00	U	07/24/2018	
SECOND RESIDENTIAL CIVIL PENALTY	$300.00	U	07/24/2018	
RESIDENTIAL REINSPECTION FEE	$180.00	U	08/02/2018	
THIRD RESIDENTIAL CIVIL PENALTY	$500.00	U	08/02/2018	
NUISANCE ABATEMENT FEE	$300.00	U	08/07/2018	
ADMINISTRATIVE	$45.00	U	08/07/2018	

LATE FEE	$18.00	U	08/11/2018
LATE FEE	$18.00	U	09/08/2018
LATE FEE	$18.00	U	09/17/2018
RESIDENTIAL DAILY CIVIL PENALTY FEE	$19,500.00	U	11/02/2018

Total Amount Due: **$21,509.00**

Total Amount Paid: **$** **1.00**

BUILDING & SAFETY
CITY OF LAS VEGAS
DEVELOPMENT SERVICES CENTER

Building & Safety
333 North Rancho Drive
Las Vegas, NV 89106

TDD	702-386-9108
Administration	229-6092
Permits	229-6251
Inspections	229-6914
Off-site Inspections	229-6337
Code Enforcement	229-6615
Land Development	229-6371

www.lasvegasnevada.gov

Mayor
Carolyn G. Goodman

City Council
Stavros S. Anthony
(Mayor Pro Tem)

Lois Tarkanian
Steven D. Ross
Ricki Y. Barlow
Bob Coffin
Bob Beers

City Manager
Elizabeth N. Fretwell

September 26, 2013

CASE #124504
Certified/Regular Mail
Return Receipt Requested

Charles & Bambi Compton
4550 East Van Buren Avenue
Las Vegas, NV 89110-1323

RE: 4550 East Van Buren Avenue

Dear Property Owner:

On August 12, 2013, the City of Las Vegas caused the above-referenced property to be corrected by demolishing all structures, removing all refuse, waste, graffiti, high grass and weeds, and applying herbicide.

The Department of Building and Safety has submitted a Report of Expenses to the City Clerk.

A tentative date for the public hearing is October 16, 2013. You will, however, be mailed appropriate notification.

For your information, a copy of the Report of Expenses is enclosed.

If you have any questions concerning this procedure, please contact the Code Enforcement Division located in the Department of Building and Safety, by telephoning (702) 229-6615.

Sincerely,

Michael W. Bouse

Michael W. Bouse, Manager
Code Enforcement Division
Department of Building and Safety

MWB:ld

Memorandum

City of Las Vegas
Building and Safety Department

To: Beverly Bridges, MMC, City Clerk

From: Michael W. Bouse, Manager – Code Enforcement Division

CC: File

Date: September 24, 2013

Re: Report of Expenses for the abatement of nuisance located at 4550 East Van Buren Avenue - Ward 3 (Coffin)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance," the Department of Building and Safety caused the above-referenced property to be corrected by demolishing all structures, removing all refuse, waste, graffiti, high grass and weeds, and applying herbicide, and in compliance with Clark County Health regulations (bid must include asbestos removal) hired CamAir for the asbestos survey. The abatement was completed by Construction Group International on August 12, 2013 at a cost of $24,760.00, which was accepted by the Department of Building and Safety.

Contract Amount Breakdown:	
Demolish all structures, and remove all refuse and waste.	$22,885.00
Remove all high weeds, and apply herbicide.	$250.00
Remove all graffiti.	$600.00
Apply dust control product.	$200.00
AMOUNT DUE:	$23,935.00
Asbestos Survey	$825.00
Sub-Total	$24,760.00
Administrative Processing Fee:	$3,714.00
Sub-Total:	$28,474.00
Reinspection Fees (w/late fees):	$1,122.00
TOTAL AMOUNT DUE:	**$29,596.00**
DAILY CIVIL PENALTIES ($500 Residential/$750 Commercial- Civil Penalty assessed Per Day From 11th day after Notice of Violation issued until Pre-Abatement Inspection)	**$19,500.00**
MAXIMUM TOTAL:	**$49,096.00**
OWNER OF RECORD	CHARLES & BAMBI COMPTON
PROPERTY ABATED:	4550 East Van Buren Avenue
	Las Vegas, NV 89110
ASSESSOR PARCEL:	140-29-101-016
LEGAL DESCRIPTION:	PT NW4 NW4 SEC 29-20-62

LVMC 9.04.020 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $120.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. Penalties are assessed as follows:

2nd re-inspection a $180 re-inspection fee + a $150.00 civil penalty will be assessed;
3rd re-inspection a $180 re-inspection fee + a $300.00 civil penalty will be assessed;
4th re-inspection and additional re-inspections will be assessed a $180 re-inspection fee + a civil penalty. Residential ($500) or Commercial ($750)

If you do not correct the violation within that time, the City may issue a criminal misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred ($500.00) Dollars or fine of up to six (6) months in jail or both for each violation, or the City may direct a licensed contractor to remove the nuisance described below, or both.

Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance:
(1) shall be guilty of a misdemeanor citation;
(2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred ($500.00) dollars per day for residential properties, or ($750) dollars for commercial properties.

Civil penalties may be assessed for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. Any and all unpaid fees are subject to collection and/or liens.

MWB:ld

Inst #: 201311190001652
Fees: $0.00
N/C Fee: $0.00
11/19/2013 02:15:54 PM
Receipt #: 1847597
Requestor:
CITY OF LAS VEGAS, BUILDING
Recorded By: ANI Pgs: 1
DEBBIE CONWAY
CLARK COUNTY RECORDER

APN 140-29-101-016

NOTICE AND CLAIM OF LIEN OF ASSESSMENT
TO: **CHARLES & BAMBI COMPTON**
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: 140-29-101-016
Commonly known as: 4550 East Van Buren Avenue
Legal Description: PT NW4 NW4 SEC 29-20-62

On **August 12, 2013**, as provided in the Title 9, Chapter 4, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due and proper notification.

Expenses costs and fees ("Actual Cost") in the amount of **$29,596.00** were incurred by the City of Las Vegas in the above-referenced nuisance abatement procedure. Additionally, pursuant to Municipal Code 9.04.120, civil penalties in the amount of **$19,500.00** were approved against the property for violations(s) of Municipal Code 9.04.010. The Las Vegas City Council, at a duly noticed public hearing held on **October 16, 2013** ordered the above Actual Cost in the amount of **$29,596.00**, be immediately assessed against the property by means of this Lien of Assessment with the lien duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this Lien of Assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

NOTE: The City Council ordered the above civil penalties in the amount of **$19,500.00** be assessed against the property by recording a Lien of Assessment on or after **March 23, 2014**.

BEVERLY K. BRIDGES, MMC, City Clerk
495 South Main Street
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

BEVERLY K. BRIDGES, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

BEVERLY K. BRIDGES, MMC, City Clerk

Subscribed and sworn to before me this 22nd day of October, 2013

NOTARY PUBLIC, in and for said County and State

ARLENE COLEMAN
Notary Public State of Nevada
No. 00-66111-1
My appt. exp. Nov. 13, 2016

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF BUILDING AND SAFETY
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case No. 124504

Inst #: 20140403-C002119
Fees: $0.00
N/C Fee: $0.00
04/03/2014 02:51:58 PM
Receipt #: 1982675
Requestor:
CITY OF LAS VEGAS, BUILDING
Recorded By: JACKSM Pgs: 1
DEBBIE CONWAY
CLARK COUNTY RECORDER

APN 140-29-101-016

NOTICE AND CLAIM OF LIEN OF ASSESSMENT
TO: CHARLES & BAMBI COMPTON
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: 140-29-101-016
Commonly known as: 4550 East Van Buren Avenue
Legal Description: PT NW4 NW4 SEC 29-20-62

On **August 12, 2013**, as provided in the Title 9, Chapter 9, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Pursuant to Municipal Code 9.040.120, civil penalties in the amount of **$19,500.00** were levied against the property as for violation(s) of Municipal Code 9.04.010.

The Las Vegas City Council, at a duly noticed public hearing held on **October 16, 2013** ordered the above charges in the amount of **$19,500.00**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

BEVERLY K. BRIDGES, MMC, City Clerk
495 South Main Street
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

BEVERLY K. BRIDGES, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

BEVERLY K. BRIDGES, MMC, City Clerk

Subscribed and sworn to before me this 22nd day of October, 2013

NOTARY PUBLIC, in and for said County and State

ARLENE COLEMAN
Notary Public State of Nevada
No. 00-66111-1
My appt. exp. Nov. 13, 2016

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF BUILDING AND SAFETY
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case No. 124504

LAS VEGAS CITY COUNCIL

CAROLYN G. GOODMAN
MAYOR

STEVEN D. ROSS
MAYOR PRO TEM

LOIS TARKANIAN
RICKI Y. BARLOW
STAVROS S. ANTHONY
BOB COFFIN
BOB BEERS

ELIZABETH N. FRETWELL
CITY MANAGER

Planning Department
333 North Rancho Drive
Las Vegas, NV 89106

Code
Enforcement 702-229-6615

www.lasvegasnevada.gov

June 16, 2016

CASE #163211
Certified/Regular Mail
Return Receipt Requested

Trustee Clark County Treasurer
c/o Charles & Bambi Compton
4550 E Van Buren Avenue
Las Vegas, NV 89110-1323

RE: 4550 E Van Buren Avenue

Dear Property Owner:

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON **WEDNESDAY, JUNE 29, 2016**, at the hour of **8:30 A.M.** in the Code Enforcement Conference Room, 333 North Rancho Drive, 3rd Floor, Las Vegas, NV, the Code Enforcement Hearing Officer will consider the REPORT OF EXPENSES submitted by the Director of Planning for: Abatement of the violations on the property located at **4550 E Van Buren Avenue, Las Vegas, NV 89110 - Case No. 163211**. The Director of Planning certifies that the sum of **$4,745.25** was expended and Civil Penalties in the sum of **$19,500.00** may be imposed for a total of **$24,245.25**. For your information, a copy of the Report of Expenses is enclosed.

If the Code Enforcement Hearing Officer is satisfied with the report, he may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with Code Enforcement, 333 N Rancho Drive, 3rd Floor, Las Vegas, NV 89106 or fax (702) 382-4341 any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

If you have any questions concerning this procedure, please contact the Code Enforcement Division located in the Department of Planning, by telephoning (702) 229-6615.

Sincerely,

Karen L. Duddlesten

Karen L. Duddlesten, Deputy Director
Code Enforcement Division
Department of Planning

Memorandum

City of Las Vegas
Planning Department

To: LuAnn Holmes, MMC, City Clerk

From: Karen Duddlesten, Deputy Director – Code Enforcement Division

CC: File

Date: June 6, 2016

Re: Report of Expenses for the abatement of nuisance located at 4550 E Owens Avenue - Ward 3 (Coffin)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance," the Department of Planning caused the above-referenced property to be corrected by installing fencing, posting No Trespass sign, removing all refuse, waste, dead vegetation, dead trees, and high vegetation. The abatement was completed by Weaver Construction on May 17, 2016 at a cost of $3,495.00, which was accepted by the Department of Planning.

Contract Amount Breakdown:	
Remove all refuse and waste.	$650.00
Remove/remove high vegetation.	$250.00
Remove dead trees, any dead vegetation.	$900.00
Cut all remaining trees at stump height.	$200.00
Install temporary fence.	$1,145.00
Post No Trespass sign.	$350.00
AMOUNT DUE:	$3,495.00
Administrative Processing Fee:	$524.25
Reinspection Fees (w/late fees):	$726.00
TOTAL AMOUNT DUE:	**$4,745.25**
DAILY CIVIL PENALTIES ($500 Residential/$750 Commercial- Civil Penalty assessed Per Day From 11th day after Notice of Violation issued until Pre-Abatement Inspection)	**$19,500.00**
TOTAL AMOUNT DUE:	**$24,245.25**
OWNER OF RECORD	TRUSTEE CLARK COUNTY TREASURER
	C/O CHARLES & BAMBI COMPTON
PROPERTY ABATED:	4550 E VAN BUREN AVENUE
ASSESSOR PARCEL:	140-29-101-016
LEGAL DESCRIPTION:	PT NW 4 NW4 SEC 29-20-62

LVMC 9.04.020 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $120.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. Penalties are assessed as follows:

2nd re-inspection a $180 re-inspection fee + a $150.00 civil penalty will be assessed;
3rd re-inspection a $180 re-inspection fee + a $300.00 civil penalty will be assessed;
4th re-inspection and additional re-inspections will be assessed a $180 re-inspection fee + a civil penalty. Residential ($500) or Commercial ($750)

If you do not correct the violation within that time, the City may issue a criminal misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred ($500.00) Dollars or fine of up to six (6) months in jail or both for each violation, or the City may direct a licensed contractor to remove the nuisance described below, or both.

Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance:
(1) shall be guilty of a misdemeanor citation;
(2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred ($500.00) dollars per day for residential properties, or ($750) dollars for commercial properties.

Civil penalties may be assessed for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. Any and all unpaid fees are subject to collection and/or liens.

D (1)

Inst #: 20160715-0000354
Fees: $0.00
N/C Fee: $0.00
07/15/2016 08:56:15 AM
Receipt #: 2818124
Requestor:
CITY OF LAS VEGAS, BUILDING
Recorded By: WONGC Pgs: 1
DEBBIE CONWAY
CLARK COUNTY RECORDER

APN 140-29-101-016

NOTICE AND CLAIM OF LIEN OF ASSESSMENT
TO: **TRUSTEE CLARK COUNTY TREASURER**
C/O CHARLES & BAMBI COMPTON
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: **140-29-101-016**
Commonly known as: **4550 East Van Buren Avenue**
Legal Description: **PT NW4 NW4 SEC 29-20-62**

On **May 17, 2016**, as provided in the Title 9, Chapter 4, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due and proper notification.

Expenses costs and fees ("Actual Cost") in the amount of **$4,745.25** were incurred by the City of Las Vegas in the above-referenced nuisance abatement procedure. Additionally, pursuant to Municipal Code 9.04.120, civil penalties in the amount of **$19,500.00** were approved against the property for violation(s) of Municipal Code 9.04.010. The Code Enforcement Hearing Officer, at a duly noticed hearing held on **June 29, 2016** ordered the above Actual Cost in the amount of **$4,745.25**, be immediately assessed against the property by means of this Lien of Assessment with the lien duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this Lien of Assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

NOTE: The Code Enforcement Hearing Officer ordered the above civil penalties in the amount of **$19,500.00** be assessed against the property by recording a Lien of Assessment on or after **February 21, 2017**.

Mary McElhone, Deputy City Clerk
495 South Main Street
Las Vegas, NV 89101

STATE OF NEVADA)
)
COUNTY OF CLARK)

Mary McElhone, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

Mary McElhone, Deputy City Clerk

Subscribed and sworn to before me this 12th day of July, 2016

Laura de Armond
NOTARY PUBLIC, in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LAURA DE ARMOND
Appt. No. 01-66412-1
My Appt. Expires Feb. 6, 2018

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF PLANNING
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case #163211

Inst #: 20160912-0000636
Fees: $0.00
N/C Fee: $0.00
09/12/2016 11:01:16 AM
Receipt #: 2869342
Requestor:
CITY OF LAS VEGAS, BUILDING
Recorded By: RNS Pgs: 1
DEBBIE CONWAY
CLARK COUNTY RECORDER

APN 140-29-101-016

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **TRUSTEE CLARK COUNTY TREASURER**
C/O CHARLES & BAMBI COMPTON
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: **140-29-101-016**
Commonly known as: **4550 East Van Buren Avenue**
Legal Description: **PT NW4 NW4 SEC 29-20-62**

On **May 17, 2016**, as provided in the Title 9, Chapter 9, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Pursuant to Municipal Code 9.040.120, civil penalties in the amount of **$19,500.00** were levied against the property as for violation(s) of Municipal Code 9.04.010.

The Code Enforcement Hearing Officer, at a duly noticed hearing held on **June 29, 2016** ordered the above charges in the amount of **$19,500.00**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

Mary McElhone, Deputy City Clerk
495 South Main Street
Las Vegas, NV 89101

STATE OF NEVADA)
)
COUNTY OF CLARK)

Mary McElhone, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

Mary McElhone, Deputy City Clerk

Subscribed and sworn to before me this 12th day of July, 2016

Laura deArmond
NOTARY PUBLIC, in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LAURA DE ARMOND
Appt. No. 01-66412-1
My Appt. Expires Feb. 5, 2018

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF PLANNING
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case #163211

LAS VEGAS CITY COUNCIL

CAROLYN G. GOODMAN
MAYOR

STEVEN D. ROSS
MAYOR PRO TEM

LOIS TARKANIAN
RICKI Y. BARLOW
STAVROS S. ANTHONY
BOB COFFIN
BOB BEERS

ELIZABETH N. FRETWELL
CITY MANAGER

Planning Department
333 North Rancho Drive
Las Vegas, NV 89106

Code
Enforcement 702-229-6615

www.lasvegasnevada.gov

January 11, 2017

CASE #169582
Certified/Regular Mail
Return Receipt Requested

Trustee Clark County Treasurer
c/o Charles & Bambi Compton
4550 E Van Buren Avenue
Las Vegas, NV 89110-1323

RE: 4550 E Van Buren Avenue

Dear Property Owner:

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON **WEDNESDAY, JANUARY 25, 2017**, at the hour of **8:30 A.M.** in the Code Enforcement Conference Room, 333 North Rancho Drive, 3rd Floor, Las Vegas, NV, the Code Enforcement Hearing Officer will consider the REPORT OF EXPENSES submitted by the Director of Planning for: Abatement of the violations on the property located at **4550 E Van Buren Avenue, Las Vegas, NV 89110 - Case No. 169582**. The Director of Planning certifies that the sum of **$4,668.00** was expended and Civil Penalties in the sum of **$19,500.00** may be imposed for a total of **$24,168.00**. For your information, a copy of the Report of Expenses is enclosed.

If the Code Enforcement Hearing Officer is satisfied with the report, he may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with Code Enforcement, 333 N Rancho Drive, 3rd Floor, Las Vegas, NV 89106 or fax (702) 382-4341 any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

If you have any questions concerning this procedure, please contact the Code Enforcement Division located in the Department of Planning, by telephoning (702) 229-6615.

Sincerely,

Karen L. Duddlesten

Karen L. Duddlesten, Deputy Director
Code Enforcement Division
Department of Planning

Memorandum

City of Las Vegas
Planning Department

To: LuAnn Holmes, MMC, City Clerk

From: Karen Duddlesten, Deputy Director – Code Enforcement Division

CC: File

Date: January 9, 2017

Re: Report of Expenses for the abatement of nuisance located at 4550 E Van Buren Avenue - Ward 3 (Coffin)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance," the Department of Planning caused the above-referenced property to be corrected by trimming trees, installing six foot chain link fence, replacing sign, and removing all trash, debris, dead vegetation, weeds, and applying herbicide. The abatement was completed by Junkman on November 30, 2016 at a cost of $3,600.00, which was accepted by the Department of Planning.

Contract Amount Breakdown:	
Remove all trash and debris.	$500.00
Trim trees overhanging the lot.	$500.00
Remove dead vegetation.	$1,000.00
Remove weeds, and apply herbicide.	$100.00
Install chain link fence across north side of the lot.	$1,000.00
Replace existing sign with a matching sign.	$500.00
AMOUNT DUE:	$3,600.00
Administrative Processing Fee:	$540.00
Reinspection Fees (w/late fees):	$528.00
TOTAL AMOUNT DUE:	**$4,668.00**
DAILY CIVIL PENALTIES ($500 Residential/$750 Commercial- Civil Penalty assessed Per Day From 11th day after Notice of Violation issued until Pre-Abatement Inspection)	**$19,500.00**
TOTAL AMOUNT DUE:	**$24,168.00**
OWNER OF RECORD	TRUSTEE CLARK COUNTY TREASURER C/O CARLES & BAMBI COMPTON
PROPERTY ABATED:	4550 E Van Buren Avenue
ASSESSOR PARCEL:	140-29-101-016
LEGAL DESCRIPTION:	PT NW4 NW4 SEC 29-20-62

LVMC 9.04.020 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $120.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $180.00 per hour, one-hour minimum (not to be pro-rated). will be charged for each additional inspection after the initial re-inspection.

In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. Penalties are assessed as follows:

2nd re-inspection a $180 re-inspection fee + a $150.00 civil penalty will be assessed;
3rd re-inspection a $180 re-inspection fee + a $300.00 civil penalty will be assessed;
4th re-inspection and additional re-inspections will be assessed a $180 re-inspection fee + a civil penalty. Residential ($500) or Commercial ($750)

If you do not correct the violation within that time, the City may issue a criminal misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred ($500.00) Dollars or fine of up to six (6) months in jail or both for each violation, or the City may direct a licensed contractor to remove the nuisance described below, or both.

Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance:
(1) shall be guilty of a misdemeanor citation;
(2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred ($500.00) dollars per day for residential properties, or ($750) dollars for commercial properties.

Civil penalties may be assessed for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. Any and all unpaid fees are subject to collection and/or liens.

Inst #: 20170208-0000446
Fees: $0.00
N/C Fee: $0.00
02/08/2017 08:51:30 AM
Receipt #: 3004297
Requestor:
CITY OF LAS VEGAS, BUILDING
Recorded By: CARLOSG Pgs: 1
DEBBIE CONWAY
CLARK COUNTY RECORDER

APN 140-29-101-016

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **TRUSTEE CLARK COUNTY TREASURER**
C/O CHARLES & BAMBI COMPTON
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: **140-29-101-016**
Commonly known as: **4550 East Van Buren Avenue**
Legal Description: **PT NW4 NW4 SEC 29-20-62**

On **November 30, 2016**, as provided in the Title 9, Chapter 4, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due and proper notification.

Expenses costs and fees ("Actual Cost") in the amount of **$4,668.00** were incurred by the City of Las Vegas in the above-referenced nuisance abatement procedure. Additionally, pursuant to Municipal Code 9.04.120, civil penalties in the amount of **$19,500.00** were approved against the property for violations(s) of Municipal Code 9.04.010. The Code Enforcement Hearing Officer, at a duly noticed hearing held on **January 25, 2017** ordered the above Actual Cost in the amount of **$4,668.00**, be immediately assessed against the property by means of this Lien of Assessment with the lien duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this Lien of Assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

NOTE: The Code Enforcement Hearing Officer ordered the above civil penalties in the amount of **$19,500.00** be assessed against the property by recording a Lien of Assessment on or after **October 7, 2017**.

Mary McElhone, Deputy City Clerk
495 South Main Street
Las Vegas, NV 89101

STATE OF NEVADA)
)
COUNTY OF CLARK)

Mary McElhone, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

Mary McElhone, Deputy City Clerk

Subscribed and sworn to before me this 6th day of February, 2017

Laura deArmond
NOTARY PUBLIC, in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LAURA DE ARMOND
Appt. No. 01-66412-1
My Appt. Expires Feb 5, 2018

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF PLANNING
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case #169582

Inst #: 20171010-0001477
Fees: $0.00
10/10/2017 02:53:44 PM
Receipt #: 3218390
Requestor:
CITY OF LAS VEGAS, BUILDING
Recorded By: TAH Pgs: 1
DEBBIE CONWAY
CLARK COUNTY RECORDER
Src: MAIL
Ofc: MAIN OFFICE

APN 140-29-101-016

NOTICE AND CLAIM OF LIEN OF ASSESSMENT
TO: **TRUSTEE CLARK COUNTY TREASURER**
C/O CHARLES & BAMBI COMPTON
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: **140-29-101-016**
Commonly known as: **4550 East Van Buren Avenue**
Legal Description: **PT NW4 NW4 SEC 29-20-62**

On **November 30, 2016**, as provided in the Title 9, Chapter 9, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Pursuant to Municipal Code 9.040.120, civil penalties in the amount of **$19,500.00** were levied against the property as for violation(s) of Municipal Code 9.04.010.

The Code Enforcement Hearing Officer, at a duly noticed hearing held on **January 25, 2017** ordered the above charges in the amount of **$19,500.00**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

Mary McElhone, Deputy City Clerk
495 South Main Street
Las Vegas, NV 89101

STATE OF NEVADA)
)
COUNTY OF CLARK)

Mary McElhone, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

Mary McElhone, Deputy City Clerk

Subscribed and sworn to before me this 6th day of February, 2017

Laura deArmond
NOTARY PUBLIC, in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LAURA DE ARMOND
Appt. No. 01-66412-1
My Appt. Expires Feb. 5, 2018

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF PLANNING
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case #169582

LAS VEGAS CITY COUNCIL

CAROLYN G. GOODMAN
MAYOR

LOIS TARKANIAN
MAYOR PRO TEM

CEDRIC CREAR
STAVROS S. ANTHONY
BOB COFFIN
STEVE SEROKA
MICHELE FIORE

SCOTT ADAMS
CITY MANAGER

LANNING DEPARTMENT
CODE ENFORCEMENT
DIVISION
3 NORTH RANCHO DRIVE
S VEGAS, NEVADA 89106

VOICE 702.229.6615
FAX 702.382-4341
TTY 702.386.9108
w.lasvegasnevada.gov

October 8, 2018

CASE #187048
Certified/Regular Mail
Return Receipt Requested

SMITH & PARKER L L C
% TRUSTEE CLARK COUNTY TREASUR
7995 W SAHARA AVE #101
LAS VEGAS, NV 89117

RE: 4550 E VAN BUREN AVENUE

Dear Property Owner:

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON **Wednesday, October 31, 2018**, at the hour of **8:30 am.** in the Code Enforcement Conference Room, 333 North Rancho Drive, 6th Floor, Las Vegas, NV, the City Council Designee will consider the REPORT OF EXPENSES submitted by the Director of Planning for: Abatement of the violations on the property located at **4550 E VAN BUREN AVENUE – Case #187048**. The Director of Planning certifies that the sum of **$951.00** was expended and Civil Penalties in the sum of **$19,500.00** may be imposed for a total of **$20,451.00.** For your information, a copy of the Report of Expenses is enclosed.

If the City Council Designee is satisfied with the report, he may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with Code Enforcement, 333 N Rancho Drive, 6th Floor, Las Vegas, NV 89106 or fax (702) 382-4341 any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

You may be present at the hearing. You may be, but need not be, represented by an attorney.

If you have any questions concerning this procedure, please contact the Code Enforcement Division located in the Department of Planning, by telephoning (702) 229-6615.

Sincerely,

Vicki R. Ozuna, Code Enforcement Supervisor
Code Enforcement Division
Department of Planning

Memorandum

City of Las Vegas
Planning Department

To: LuAnn Holmes, MMC, City Clerk

From: Vicki R. Ozuna, Code Enforcement Supervisor – Code Enforcement Division

CC: File

Date: October 8, 2018

Re: Report of Expenses for the abatement of nuisance located at 4550 E VAN BUREN AVENUE - Ward 3 (Coffin)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance," the Department of Planning caused the above-referenced property to be corrected by Remove graffiti The abatement was completed by Junkman on 08/09/2018 at a cost of $300.00, which was accepted by the Department of Planning.

Contract Amount Breakdown:	
Remove graffiti	$300.00
AMOUNT DUE:	$300.00
Administrative Processing Fee:	$45.00
Reinspection Fees (w/late fees):	$606.00
TOTAL AMOUNT DUE:	**$951.00**
DAILY CIVIL PENALTIES ($500 Residential/$750 Commercial- Civil Penalty assessed Per Day From 11th day after Notice of Violation issued until Pre-Abatement Inspection)	**$19,500.00**
TOTAL AMOUNT DUE:	**$20,451.00**
OWNER OF RECORD	SMITH & PARKER L L C
PROPERTY ABATED:	4550 E VAN BUREN AVENUE
ASSESSOR PARCEL:	140-29-101-016
LEGAL DESCRIPTION:	PT NW4 NW4 SEC 29-20-62

LVMC 9.04.020 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $120.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. Penalties are assessed as follows:

2nd re-inspection a $180 re-inspection fee + a $150.00 civil penalty will be assessed;
3rd re-inspection a $180 re-inspection fee + a $300.00 civil penalty will be assessed;
4th re-inspection and additional re-inspections will be assessed a $180 re-inspection fee + a civil penalty. Residential ($500) or Commercial ($750)

If you do not correct the violation within that time, the City may issue a criminal misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred ($500.00) Dollars or fine of up to six (6) months in jail or both for each violation, or the City may direct a licensed contractor to remove the nuisance described below, or both.

Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance:
(1) shall be guilty of a misdemeanor citation;
(2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred ($500.00) dollars per day for residential properties, or ($750) dollars for commercial properties.

Civil penalties may be assessed for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. Any and all unpaid fees are subject to collection and/or liens.

Inst #: 20180214-0000392
Fees: $0.00
02/14/2018 08:51:44 AM
Receipt #: 3321894
Requestor:
CITY OF LAS VEGAS, BUILDING
Recorded By: RYUD Pgs: 1
DEBBIE CONWAY
CLARK COUNTY RECORDER
Src: MAIL
Ofc: MAIN OFFICE

APN 140-29-101-016

NOTICE AND CLAIM OF LIEN OF ASSESSMENT
TO: **SMITH & PARKER LLC**
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: 140-29-101-016
Commonly known as: 4550 E Van Buren Avenue
Legal Description: PT NW4 NW4 SEC 29-20-62

On **November 21, 2017**, as provided in the Title 9, Chapter 4, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due and proper notification.

Expenses costs and fees ("Actual Cost") in the amount of **$2,285.00** were incurred by the City of Las Vegas in the above-referenced nuisance abatement procedure. Additionally, pursuant to Municipal Code 9.04, civil penalties in the amount of **$19,500.00** were approved against the property for violations(s) of Municipal Code 9.04. The Code Enforcement Hearing Officer, at a duly noticed hearing held on **January 31, 2018** ordered the above Actual Cost in the amount of **$2,285.00** and civil penalties in the amount of **$19,500.00**, be immediately assessed against the property by means of this Lien of Assessment with the lien duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this Lien of Assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

Mary McElhone, Deputy City Clerk
495 South Main Street
Las Vegas, NV 89101

STATE OF NEVADA)
)
COUNTY OF CLARK)

Mary McElhone, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

Mary McElhone, Deputy City Clerk

Subscribed and sworn to before me this 1st day of February, 2018

Laura deArmond
NOTARY PUBLIC, in and for said County and State

LAURA deARMOND
Notary Public-State of Nevada
Appointment No. 01-66412-1
My Appointment Expires Feb. 5, 2018

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF PLANNING
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case #181505

4550 E. Van Buren Ave.

PRE-ABATEMENT



POST ABATEMENT



4550 E. Van Buren Ave.

PRE-ABATEMENT



POST ABATEMENT



4550 E. Van Buren Ave.

PRE-ABATEMENT



POST ABATEMENT



4550 E. Van Buren Ave.

PRE-ABATEMENT



POST ABATEMENT



4550 E. Van Buren Ave.

PRE- ABATEMENT



POST ABATEMENT



4550 E. Van Buren Ave.

PRE - ABATEMENT



POST ABATEMENT



4550 E Van Buren Ave

PRE-ABATEMENT



POST ABATEMENT



4550 E Van Buren Ave

PRE-ABATEMENT

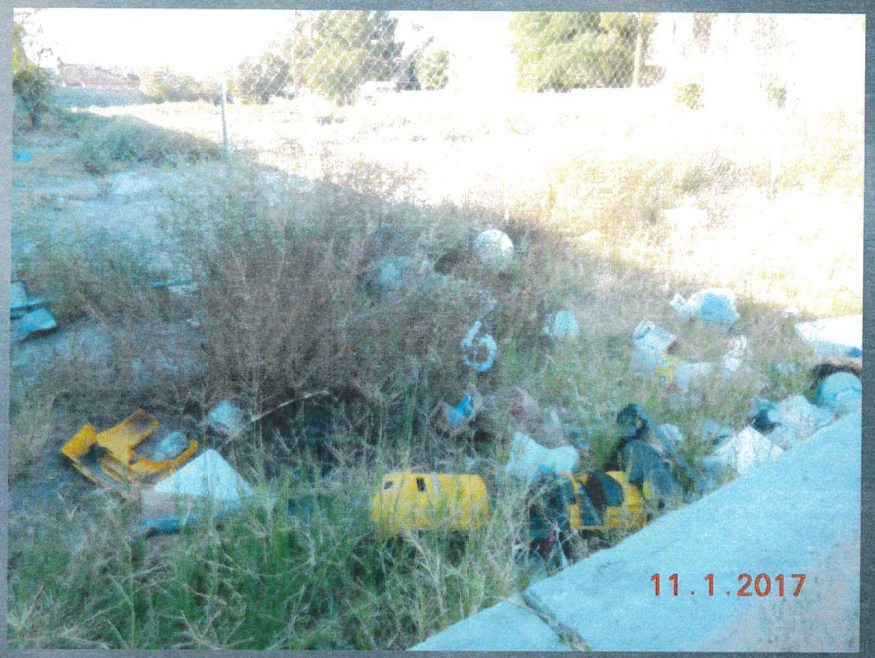


POST ABATEMENT



4550 E Van Buren Ave

PRE-ABATEMENT



POST ABATEMENT



4550 E Van Buren Ave

PRE-ABATEMENT



POST ABATEMENT



4550 E Van Buren Ave

PRE - ABATEMENT



POST ABATEMENT

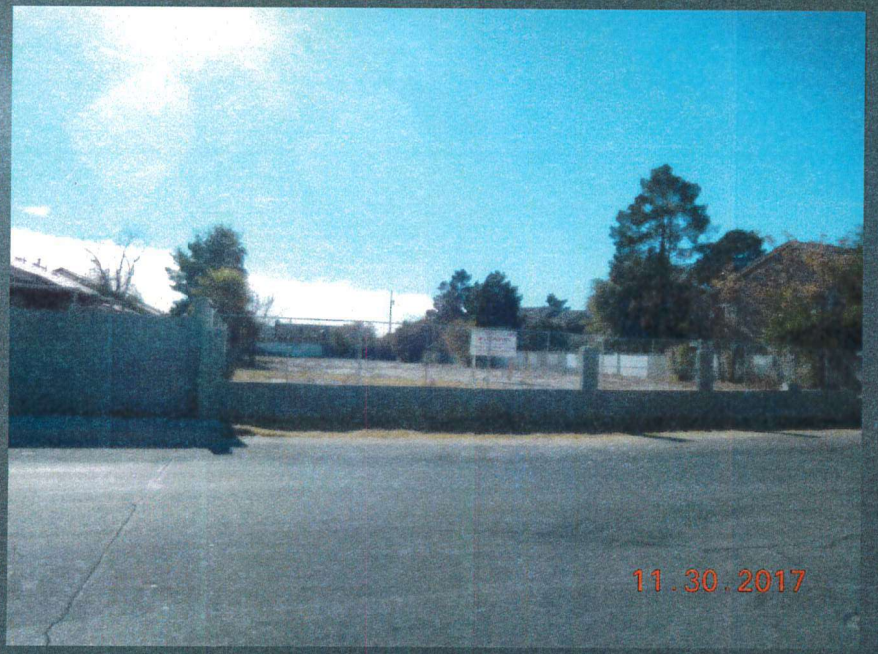


4550 E Van Buren Ave

PRE - ABATEMENT



POST ABATEMENT



4550 E Van Buren Ave.

Case 187048

PRE-ABATEMENT



POST ABATEMENT



4550 E Van Buren Ave.

Case 187048

PRE-ABATEMENT



POST ABATEMENT



4550 E Van Buren Ave.

Case 187048

PRE-ABATEMENT



POST ABATEMENT



4550 E Van Buren Ave.

Case 187048

PRE-ABATEMENT



POST ABATEMENT



4550 E. Van Buren Ave.
Request of Wavier



Submitted at Meeting

4550 E. Van Buren Ave. Request of Wavier



4550 E. Van Buren Ave.
Request of Wavier



4550 E. Van Buren Ave.
Request of Wavier



4550 E. Van Buren Ave. Request of Wavier



4550 E. Van Buren Ave. Request of Wavier



4550 E Van Buren Ave.
Request of Waiver



Submitted At Meeting
Date 7/17/19 Item 71

4550 E Van Buren Ave.
Request of Waiver



4550 E Van Buren Ave.
Request of Waiver



4550 E Van Buren Ave.
Request of Waiver



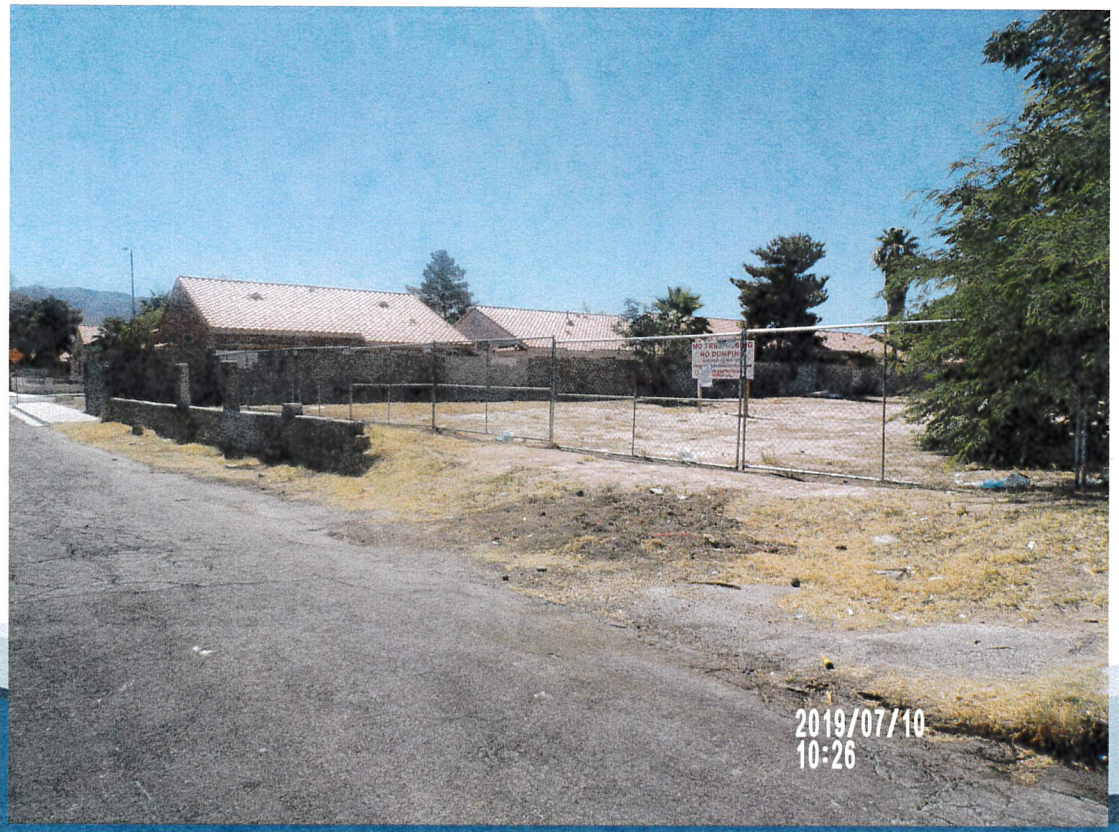
4550 E Van Buren Ave.
Request of Waiver



4550 E Van Buren Ave.
Request of Waiver



4550 E Van Buren Ave.
Request of Waiver



AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
72

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
Public hearing and discussion for possible action to consider a request for a Wavier and/or reduction of fees totaling $6,501.50 in out of pocket costs and $16,500 in civil penalties for a total of $23,001.50 recorded against the property at 5805 Carl Avenue - PROPERTY OWNER: PARRENO JESUS D DOMINGUEZ - Ward 5 (Crear)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
Today's hearing is a request from Bob Gronauer, agent, to consider a request for a waiver and/or reduction of fees that have been assessed for failed inspection fees and penalties.

The case originated April 17, 2017 from a citizen complaint of junk at the property. The condition of the property was a public hazard and an attractive nuisance. The Department of Planning declared the property in violation and started legal notification . When no corrective action was taken nor an appeal filed, the Department of Planning hired Junkman to board all doors, windows, and openings; remove all trash and debris; remove weeds, apply herbicide; and remove sheds. A total of 8 inspections were completed before the case was closed August 8, 2017. The owner at the time of abatement was Sanchez Teresa.

The property sold to William Richardson June 21, 2017 for $175,300.
Jesus D Dominguez Parreno purchased the property April 13, 2018 for $259,900.

Planning received a Request for Waiver and/or Reduction of Civil Penalties application dated April 25, 2019 from Bob Gronauer, agent, requesting the fees and civil penalties be waived.

RECOMMENDATION:
That City Council deny the request for waiver and/or reduction of fees.

BACKUP DOCUMENTATION:
1. Notification Letter
2. Case Information
3. Submitted at Meeting – PowerPoint Presentation

LAS VEGAS CITY COUNCIL

CAROLYN G. GOODMAN
Mayor

LOIS TARKANIAN
Mayor Pro Tem

STAVROS S. ANTHONY
BOB COFFIN
MICHELE FIORE
CEDRIC CREAR

SCOTT D. ADAMS
City Manager

June 24, 2019

Certified/Regular Mail
Return Receipt Requested

Certified Mail
7019 0140 0000 7562 0893

PARRENO JESUS D DOMINGUEZ
5805 CARL AVE
LAS VEGAS NV 89108

RE: 5808 CARL AVENUE

Dear Property Owner:

On April 5, 2019, the City of Las Vegas received a request of waiver of civil penalties and is scheduling your hearing before the City Council designee to be held on **JULY 17, 2019** at **11:00 AM**, to consider your request.

If you have any questions concerning this procedure, please contact the Code Enforcement Division located in the Department of Planning, by telephoning (702)229-6615.
Sincerely,

Vicki R. Ozuna, Code Enforcement Section Manager
Code Enforcement Division
Department of Planning

PLANNING DEPARTMENT
CODE ENFORCEMENT
DIVISION
333 NORTH RANCHO DRIVE
LAS VEGAS, NEVADA 89106

VOICE 702.229.6615
FAX 702.382-4341
TTY 702.386.9108
www.lasvegasnevada.gov

Code Enforcement Agenda Item Information Sheet

Ward 5 (Cedric Crear)

Case # CE-177430

Address: 5805 CARL AVE

Description:

Major Cross Street: Jones & Lake Mead

Zip Code: 89108

Forclosure: N

Registration Status:
Meets Registration Status: N
Property Registrered: Claimed
Lender Notified: N

Property Owner: PARRENDO JESUS D DOMINGUEZ

Since: 4/13/2018

Case Opened: 4/17/2017

Notice & Order Issued: 5/10/2017

Case Closed: 8/8/2017

City Council Approved Lien:

Certified Mail Receipt Sent to: Tiffany and Bosco 212 jones
Teresa Sanchez, 5805 Carl
National Default servicing corp, 7720 n 16th street suite 300, phoenix az
Fidelity national title group 2111 south 67th st. suite ee210, omaha, Nebraska
Five star mortgage, 1020 wigwam pkwy, henderson 89074

# of Inspections Completed: TOTAL (8), Fail (7); Passed (1)

Abatement Started: 7/6/2017

Abatement Completed: 7/6/2017

Abatement of: Board all doors, windows, and openings ; remove all trash and debris; remove weeds, apply herbicide; remove sheds

OUT-OF-POCKET COSTS	ASSESSED	PAID	OUTSTANDING
ADMINISTRATIVE	$727.50	$0.00	$727.50
NUISANCE ABATEMENT FEE	$4,850.00	$0.00	$4,850.00
INSPECTION COST RECOVERY FEE	$840.00	$0.00	$840.00
LATE FEES	$84.00	$0.00	$84.00
SUB-TOTAL OUT-OF-POCKET COSTS:	$6,501.50	$0.00	$6,501.50
CIVIL PENALTIES			
DAILY CIVIL PENALTIES	$16,500.00	$0.00	$16,500.00
TOTAL ALL COSTS, LATE FEE AND PENALTIES			$23,001.50

Property Value Per Zillow.com: $246,584.00

As of: 6/24/2019

Staff Recommendation:
DENIAL OF THE WAIVER REQUEST.

Condition of Waiver: Amount to be paid within 30 days or reverts back to original amount due.

GENERAL INFORMATION	
PARCEL NO.	138-24-410-035
OWNER AND MAILING ADDRESS	PARRENO JESUS D DOMINGUEZ 5805 CARL AVE LAS VEGAS NV 89108
LOCATION ADDRESS CITY/UNINCORPORATED TOWN	5805 CARL AVE LAS VEGAS
ASSESSOR DESCRIPTION	CHARLESTON HGTS TRACT #48B AMD PLAT BOOK 9 PAGE 90 LOT 12 BLOCK 5
RECORDED DOCUMENT NO.	* 20180413:01838
RECORDED DATE	Apr 13 2018
VESTING	NS

*Note: Only documents from September 15, 1999 through present are available for viewing.

ASSESSMENT INFORMATION AND VALUE EXCLUDED FROM PARTIAL ABATEMENT	
TAX DISTRICT	200
APPRAISAL YEAR	2018
FISCAL YEAR	2019-20
SUPPLEMENTAL IMPROVEMENT VALUE	0
INCREMENTAL LAND	0
INCREMENTAL IMPROVEMENTS	0

REAL PROPERTY ASSESSED VALUE		
FISCAL YEAR	2018-19	2019-20
LAND	16450	17850
IMPROVEMENTS	19554	20735
PERSONAL PROPERTY	0	0
EXEMPT	0	0
GROSS ASSESSED (SUBTOTAL)	36004	38585
TAXABLE LAND+IMP (SUBTOTAL)	102869	110243
COMMON ELEMENT ALLOCATION ASSD	0	0
TOTAL ASSESSED VALUE	36004	38585
TOTAL TAXABLE VALUE	102869	110243

ESTIMATED LOT SIZE AND APPRAISAL INFORMATION	
ESTIMATED SIZE	0.13 Acres
ORIGINAL CONST. YEAR	1964
LAST SALE PRICE MONTH/YEAR SALE TYPE	259900 4/2018 F - Foreclosure
LAND USE	20.110 - Single Family Residential
DWELLING UNITS	1

PRIMARY RESIDENTIAL STRUCTURE

1ST FLOOR SQ. FT.	1568	CASITA SQ. FT.	0	ADDN/CONV	
2ND FLOOR SQ. FT.	0	CARPORT SQ. FT.	0	POOL	YES
3RD FLOOR SQ. FT.	0	STYLE	One Story	SPA	YES
UNFINISHED BASEMENT SQ. FT.	0	BEDROOMS	4	TYPE OF CONSTRUCTION	Frame-Stucco
FINISHED BASEMENT SQ. FT.	0	BATHROOMS	2 FULL	ROOF TYPE	Built-Up
BASEMENT GARAGE SQ. FT.	0	FIREPLACE	1		
TOTAL GARAGE SQ. FT.	462				

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING
CODE ENFORCEMENT DIVISION
333 N. Rancho Dr., 6th Floor
Las Vegas, NV 89106

Fax (702) 382-4341
TDD (702) 229-6615
E-mail us at codeenforcement@lasvegasnevada.gov

Request for a Waiver and/or Reduction of Civil Penalties Application

Date of Application: 04/15/2019

Address of Subject Property: 5805 Carl Avenue, Las Vegas, NV 89108

Closest Major Intersection: North Jones and Vegas Drive Parcel Number: 138-24-410-035

Applicant Information

Name: Bob Gronauer – Kaempfer Crowell Applicant type: X Owner __ Purchaser X Agent __ Other

Address: 1980 Festival Plaza Drive, Suite 650 City: Las Vegas State: NV Zip: 89135

Phone: (702) 792-7000 Fax: (702) 796-7181 E-mail: BGronauer@kcnvlaw.com

Property Owner Information

Name: Jesus D. Dominguez

Address: 5805 Carl Avenue City: Las Vegas State: NV Zip: 89108

Phone: 786 3079507 Fax: — E-mail: jesusdvl0015@gmail.com

Describe the reason for the waiver/reduction request (Additional sheets may be attached if needed)

Prior owners blighted the property. Property has been rehabilitated and is a benefit to the neighborhood. Only asking removal of the daily civil penalty fees.

Describe the existing condition/situation of the subject property (Additional sheets may be attached if needed)

Property has been fully rehabilitated. See attached photos comparing current condition of property with its prior condition.

Describe the immediate plans for the property, including any planned improvements (Additional sheets may be attached if needed)

No immediate plans. Purchased after the rehabilitation.

Amount of City of Las Vegas Lien on Property: $ 23,001.50 Amount requested for waiver and/or reduction: $16,500.00

Property Owners Only
Please review and initial one

_____ I acknowledge that I am the property owner and understand that I must attend the waiver request hearing.

JD I as the owner understand that I may only utilize representation by a lawyer if I am not in attendance of the hearing.
My legal representation will be Kaempfer Crowell law firm

_____ I am the legal property owner and am requesting a hearing by conference call.
The contact number to reach me is _____

Acknowledgements
Please Initial

JD I acknowledge real estate personnel cannot represent my interest.

JD I acknowledge that paid fees and fines will not be refunded.

Signature of Applicant: [signature] Date: 4/24/19

Signature of Property Owner: (must be notarized): [signature] Date: 04/18/19

STATE OF Nevada

COUNTY OF Clark

Subscribed and sworn to before me, a Notary Public, on this

18 day of April, 2019

[signature]

NOTARY PUBLIC in and for said County and State

MELINDA ESCOBAR
Notary Public-State of Nevada
APPT NO. 17-3519-1
My Appt. Expires 07-31-2021

Submit application by fax to 702 382-4341 or mail to:

City of Las Vegas / Code Enforcement Division
333 N. Rancho Dr., 6th Floor
Las Vegas, NV 89106

For Office Use Only

Council Ward:_____ Case/File Number: _____ Council Action date of Lien: _____

FAX

Kaempfer Crowell
1980 Festival Plaza Drive, Suite 650
Las Vegas, Nevada 89135
Phone: (702) 792-7000
Fax: (702) 796-7181
E-Mail: info@kcnvlaw.com

Date: 5/13/2019

No. of Pages: 4
(Including cover sheet)

TO:

City of Las Vegas/Code Enforcement Division

Fax No:

(702) 382-4341

Phone No:

FROM:

John Sullivan

Client/Matter No:

Regarding:

Waiver and/or Reduction of Civil Penalties Application

Message:

Attached is an application seeking to be included on the earliest City Council Agenda in June.

Please let me know if there is any reason this application will not be heard on the earliest Agenda in June.

Thank you.

THE FOLLOWING PAGES ARE A CONFIDENTIAL ATTORNEY-CLIENT COMMUNICATION INTENDED ONLY FOR THE PERSON NAMED ABOVE. IF YOU ARE NOT THE PERSON NAMED ABOVE, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERY OF THE FOLLOWING INFORMATION, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. WE WILL GLADLY REIMBURSE YOUR POSTAGE EXPENSE. THANK YOU.

LAS VEGAS CITY COUNCIL

CAROLYN G. GOODMAN
MAYOR

LOIS TARKANIAN
MAYOR PRO TEM

RICKI Y. BARLOW
STAVROS S. ANTHONY
BOB COFFIN
STEVE SEROKA
MICHELE FIORE

SCOTT ADAMS
CITY MANAGER

PLANNING DEPARTMENT
CODE ENFORCEMENT
DIVISION
333 NORTH RANCHO DRIVE
LAS VEGAS, NEVADA 89106

VOICE 702.229.6615
FAX 702.382-4341
TTY 702.386.9108
www.lasvegasnevada.gov

September 14, 2017

CASE #177430
Certified/Regular Mail
Return Receipt Requested

William Richardson
8924 Spanish Ridge Avenue
Las Vegas, NV 89149

RE: 5805 Carl Avenue

Dear Property Owner:

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON **WEDNESDAY, SEPTEMBER 27, 2017**, at the hour of **8:30 A.M.** in the Code Enforcement Conference Room, 333 North Rancho Drive, 3rd Floor, Las Vegas, NV, the Code Enforcement Hearing Officer will consider the REPORT OF EXPENSES submitted by the Director of Planning for: Abatement of the violations on the property located at **5805 Carl Avenue, Las Vegas, NV 89108 - Case No. 177430**. The Director of Planning certifies that the sum of **$6,501.50** was expended and Civil Penalties in the sum of **$19,500.00** may be imposed for a total of **$26,001.50**. For your information, a copy of the Report of Expenses is enclosed.

If the Code Enforcement Hearing Officer is satisfied with the report, he may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with Code Enforcement, 333 N Rancho Drive, 3rd Floor, Las Vegas, NV 89106 or fax (702) 382-4341 any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

You may be present at the hearing. You may be, but need not be, represented by an attorney.

If you have any questions concerning this procedure, please contact the Code Enforcement Division located in the Department of Planning, by telephoning (702) 229-6615.

Sincerely,

Vicki R. Ozuna, Code Enforcement Supervisor
Code Enforcement Division
Department of Planning

Memorandum

City of Las Vegas
Planning Department

To: LuAnn Holmes, MMC, City Clerk

From: Vicki R. Ozuna, Code Enforcement Supervisor – Code Enforcement Division

CC: File

Date: September 12, 2017

Re: Report of Expenses for the abatement of nuisance located at 5805 Carl Avenue - Ward 5 (Barlow)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance," the Department of Planning caused the above-referenced property to be corrected by boarding all doors, windows, and openings, removing all trash, debris, sheds, weeds, and applying herbicide. The abatement was completed by Junkman on August 8, 2017 at a cost of $4,850.00, which was accepted by the Department of Planning.

Contract Amount Breakdown:	
Board all doors, windows, and openings.	$950.00
Remove all trash and debris.	$2,600.00
Remove sheds.	$950.00
Remove weeds, and apply herbicide.	$350.00
AMOUNT DUE:	$4,850.00
Administrative Processing Fee:	$727.50
Reinspection Fees (w/late fees):	$924.00
TOTAL AMOUNT DUE:	**$6,501.50**
DAILY CIVIL PENALTIES ($500 Residential/$750 Commercial- Civil Penalty assessed Per Day From 11th day after Notice of Violation issued until Pre-Abatement Inspection)	**$19,500.00**
TOTAL AMOUNT DUE:	**$26,001.50**
OWNER OF RECORD	WILLIAMS RICHARDSON
PROPERTY ABATED:	5805 Carl Avenue
ASSESSOR PARCEL:	138-24-410-035
LEGAL DESCRIPTION:	CHARLESTON HGTS TRACT #48B AMD
	PLAT BOOK 9 PAGE 90
	LOT 12 BLOCK 5

LVMC 9.04.020 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $120.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. Penalties are assessed as follows:

2nd re-inspection a $180 re-inspection fee + a $150.00 civil penalty will be assessed;
3rd re-inspection a $180 re-inspection fee + a $300.00 civil penalty will be assessed;
4th re-inspection and additional re-inspections will be assessed a $180 re-inspection fee + a civil penalty. Residential ($500) or Commercial ($750)

If you do not correct the violation within that time, the City may issue a criminal misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred ($500.00) Dollars or fine of up to six (6) months in jail or both for each violation, or the City may direct a licensed contractor to remove the nuisance described below, or both.

Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance:
(1) shall be guilty of a misdemeanor citation;
(2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred ($500.00) dollars per day for residential properties, or ($750) dollars for commercial properties.

Civil penalties may be assessed for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. Any and all unpaid fees are subject to collection and/or liens.

Inst #: 20171010-0001470
Fees: $0.00
10/10/2017 02:53:44 PM
Receipt #: 3218390
Requestor:
CITY OF LAS VEGAS, BUILDING
Recorded By: TAH Pgs: 1
DEBBIE CONWAY
CLARK COUNTY RECORDER
Src: MAIL
Ofc: MAIN OFFICE

APN 138-24-410-035

NOTICE AND CLAIM OF LIEN OF ASSESSMENT
TO: **WILLIAM RICHARDSON**
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: 138-24-410-035
Commonly known as: 5805 Carl Avenue
Legal Description: CHARLESTON HGTS TRACT #48B AMD
PLAT BOOK 9 PAGE 90
LOT 12 BLOCK 5

On **August 8, 2017**, as provided in the Title 9, Chapter 4, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due and proper notification.

Expenses costs and fees ("Actual Cost") in the amount of **$6,501.50** were incurred by the City of Las Vegas in the above-referenced nuisance abatement procedure. Additionally, pursuant to Municipal Code 9.04.120, civil penalties in the amount of **$16,500.00** were approved against the property for violations(s) of Municipal Code 9.04.010. The City Council Designee, at a duly noticed hearing held on **September 27, 2017** ordered the above Actual Cost in the amount of **$6,501.50**, be immediately assessed against the property by means of this Lien of Assessment with the lien duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this Lien of Assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

NOTE: The City Council Designee ordered the above civil penalties in the amount of **$16,500.00** be assessed against the property by recording a Lien of Assessment on or after **May 19, 2018**.

Mary McElhone, Deputy City Clerk
495 South Main Street
Las Vegas, NV 89101

STATE OF NEVADA)
)
COUNTY OF CLARK)

Mary McElhone, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

Mary McElhone, Deputy City Clerk

Subscribed and sworn to before me this 4th day of October, 2017

Laura deArmond
NOTARY PUBLIC, in and for said County and State

LAURA deARMOND
Notary Public-State of Nevada
Appointment No. 01-66412-1
My Appointment Expires Feb. 5, 2018

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF PLANNING
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case #177430

Inst #: 20180618-0000759
Fees: $0.00
06/18/2018 10:08:52 AM
Receipt #: 3430856
Requestor:
CITY OF LAS VEGAS, BUILDING
Recorded By: MIDO Pgs: 1
DEBBIE CONWAY
CLARK COUNTY RECORDER
Src: FRONT COUNTER
Ofc: MAIN OFFICE

APN 138-24-410-035

NOTICE AND CLAIM OF LIEN OF ASSESSMENT
TO: **WILLIAM RICHARDSON**
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: 138-24-410-035
Commonly known as: 5805 Carl Avenue
Legal Description: CHARLESTON HGTS TRACT #48B AMD
PLAT BOOK 9 PAGE 90
LOT 12 BLOCK 5

UNOFFICIAL COPY

On **August 8, 2017**, as provided in the Title 9, Chapter 9, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Pursuant to Municipal Code 9.040.120, civil penalties in the amount of **$16,500.00** were levied against the property as for violation(s) of Municipal Code 9.04.010.

The City Council Designee, at a duly noticed hearing held on **September 27, 2017** ordered the above charges in the amount of **$16,500.00**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

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495 South Main Street
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STATE OF NEVADA)
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Mary McElhone, Deputy City Clerk

Subscribed and sworn to before me this 4th day of October, 2017

Laura deArmond
NOTARY PUBLIC, in and for said County and State

LAURA deARMOND
Notary Public-State of Nevada
Appointment No. 01-66412-1
My Appointment Expires Feb. 5, 2018

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF PLANNING
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case #177430

City of Las Vegas
Department of Planning
Code Enforcement Case Report

Case #: CE-177430

5805 Carl Ave - Map # 02221-72 Parcel 13824410035

Owner Information:

Code Enforcement Internal Applicant

,

Zoning Information: R-1 (SINGLE FAMILY RESIDENTIAL)

Case Comments: Front yard full junk trash

Case Assigned To: TODD C FRILEY

Follow Up Inspection Date: 7/19/2017

Date Case Opened: 4/17/2017

Ward: 5 **Source:** WEB

Date Case Resolved: 8/8/2017

Disposition: Abate

Property Info / Status: **Vacant:** U

Foreclosure: N **Secure:** N

Violations:

AB-006	16.08.010 UDB SEC 403	5/8/2017	Complied
Location:	Property		
Comments:	Please board/secure property to City of Las Vegas specifications and maintain.		
AB-006L	16.08.010 UDB SEC 302 (12)	5/8/2017	Complied
Location:	Property		
Comments:	Please board/secure property to prevent a harbor for vagrants or an attractive nusiance to children.		
AB-008I	HC-SEC 701.2 ELECTRICAL EQUIP	5/8/2017	Complied
Location:	Property		
Comments:	Please provide legal power from NV Energy to make house habitable. Vacate property until power has been legally restored.		
AB-008X	HC-SEC 1103 VACATE ORDER	5/8/2017	Complied
Location:	Property		
Comments:	Please provide all essential services to make house habitable. Vacate property until all services have been provided.		
AF-001	16.33.030 REGISTRATION REQ.	5/8/2017	Complied
Location:	Property		
Comments:	Please register property per code.		
AN-003	9.04.010 (4) REFUSE & WASTE	4/20/2017	Complied
Location:	Property		
Comments:	Please remove all refuse and waste from property and maintain.		
AN-006	9.04.010(8)(A) HIGH VEGETATION	5/8/2017	Complied
Location:	Property		
Comments:	Please cut/remove all high weeds over 8 inches in height within public view.		

City of Las Vegas
Department of Planning
Code Enforcement Case Report

AN-015	9.12.030 STORED MATERIALS	4/20/2017	Complied
Location:	Property		
Comments:	Please remove all outside storage from public view and maintain.		
AZ1-2E2	19.06.070 R-1 ACCESS STRUCTURE	5/8/2017	Complied
Location:	Property		
Comments:	Please obtain all required permits or variances for shed in rear yard or remove. Set back requirements are required from side/rear yard and from house per code.		

Chronology of Events:

April 20, 2017 — **Insp# : 604970 (Fail)**

36) I spoke to three males at property who are in the middle of moving out. There is stuff all over the front. They indicated they will be gone by Monday and property will be cleaned.

April 27, 2017 — **Foreclosure Registry Update**

Foreclosure Registry: This property was registered in the Foreclosure Registry. The property has been deregistered or a new ownership has occurred.

May 1, 2017 — **Foreclosure Registry Update**

Foreclosure Registry: This property was registered in the Foreclosure Registry. The property has been deregistered or a new ownership has occurred.

May 8, 2017 — **Insp# : 605734 (Fail)**

36) Property is a little cleaner but still a lot of refuse and outside storage outside and in side yards. No answer at front door. No power at this time and water will be shut of on this Thursday. Both neighbors allowed me access to their rear yard and green pool does exist at this property. There is a dog in rear yard and one neighbor indicated that there was a part at midnight last night. there is a shed that does not meet setback requirements in rear yard. Email to several property preservation companies to see if this property is in their inventory. Took photos and will start notice and order. I did put three dunks in pool.

May 9, 2017 — **Correspondence Email**

Good afternoon Mr. Friley,
The property listed is occupied. We are unable to complete any work at this time until the property becomes vacant.

Thank you,
LaMika Johnson

Five Brothers Default Management Solutions
Certified Women's Business Enterprise (WBE)
Phone: (586) 772-7600 | Ext. 3152
12220 E. 13 Mile Road, Suite 100
Warren, MI 48093
www.fivebrms.com

May 9, 2017 — **Notice & Order Processing**

21)refer file to 36 for posting and mailing of 72hr vacate.

May 10, 2017 — **Correspondence Email**

City of Las Vegas
Department of Planning
Code Enforcement Case Report

Chronology of Events:

Hello,

Safeguard has not been to this property since 2/23/15 when it showed as occupied, I have reach out internally for advice on if we can proceed.

*** Please respond to Codecompliance@safeguardproperties.com. Thank you.***

John Minissale
Code Compliance Specialist
Safeguard Properties
7887 Safeguard Circle
Valley View, OH 44125
877-340-0060
800-852-8306, ext. 8484
john.minissale@safeguardproperties.com
Customer Service = Resolution
Safeguarding our clients' interests

May 10, 2017	**Correspondence Email**
	36) Emailed both safeguard and five brothers to let them know that property is now vacant.
May 10, 2017	**Phone Call**
	LVMPD Officer Kempf called to say there's a lot of squatter activity here now, along with green pool, open doors & garage, trash everywhere, with people in and out of the unit. Says mosquitos are swarmed over the pool, and there's broken windows. Also, feces. 812-470-6933
May 10, 2017	**Insp# : 607708 (Post)**
	36) City received call from Metro officer. 21) and 36) Went to property and we posted Notice and Order on property. The entire property is open and accessible. Neighborhood friend of the family was there and was able to call owner and she was able to come out to property. She moved a few weeks ago after receiving paperwork from the bank. Her new address is 404 S. 14th street and her number is 702-883-5756. She indicated she would be finished moving by end of day and would not come back.
May 15, 2017	**Phone Call**
	36) I called LaMika Johnson Five Brothers Default Management Solutions Certified Women's Business Enterprise (WBE) Phone: (586) 772-7600 | Ext. 3152 and she indicated she sent bank an update indicating that the house was vacant and is waiting for a response. She will send another update to bank and let them know about the civil penalties that are starting and will update me with any new information.
May 15, 2017	**Insp# : 608127 (Fail)**
	36) Property is open and accessible by way of garage door and all three sliders in rear of property. Not occupied and all other violations remain. I added dunks to bottom of pool with small amount of water remains. I called five brothers and they are waiting to get approval from the bank to remove violations. Took pictures. I will prepare abatement bid sheet.
May 17, 2017	**Adminstrative**

City of Las Vegas
Department of Planning
Code Enforcement Case Report

Chronology of Events:	
	No 10 day < abatement notice as per #21
May 17, 2017	**Bid Preperation**
	Bid Preparation - awaiting fax receipt
May 17, 2017	**Bid Request Sent**
	RFQ sent to contractors due 5-22-2017 by 5:00 pm
May 23, 2017	**Bid Received**
	Scanned & recorded - bids received
May 23, 2017	**Adminstrative**
	Bid approval & file given to #21
June 7, 2017	**Adminstrative**
	Ld) PO requested
June 7, 2017	**Insp# : 608519 (Fail)**
	36) Property has MCS 813-387-1100 on window now. Front door has been broken into, back slider is still broken, garage door can open and is accessible. Acccessory structure still present and it appears vagrants have set up in it. It has been cleaned of debris and there is a mattress and pictures put up on walls. All exterior debris remains. Took picture. I called MCS and spoke with Antonitu and she was going to have someone call me tomorrow morning regarding the violations. I indicated that the City would be obtaining a PO and proceeding with the abatement.
June 15, 2017	**Phone Call**
	21) Recieved phone call from new owner 702-596-8032.Stated will abate once he has control.
June 15, 2017	**Insp# : 610947 (Fail)**
	21)36)Received another call from Metro-property remains open accessible. large amount of debris on driveway/ frontyard area: furniture,clothing,appliances.New paperwork on window. We called number- person said they are purchasing the property- once closes he will abate.Gave him 1 week or the CLV will need to take action.
June 20, 2017	**Video Request**
	Ld) PO 376543 approved, sent before abatement video request to #21
June 21, 2017	**Insp# : 613599 (Fail)**
	21)Property not in compliance- open/accessible, large amount of debris. Refer file for abatement.
July 13, 2017	**Foreclosure Registry Update**
	Foreclosure Registry: This property was registered in the Foreclosure Registry. The property has been deregistered or a new ownership has occurred.
July 18, 2017	**Video Request**
	Ld) job completed per Junkman, sent after abatement video request to #21
August 8, 2017	**Insp# : 613600 (Passed)**
	36) All violations have been abated. Case closed.
September 14, 2017	**Notice Of Public Hearing Post**
	36) Posted Hearing on front boarded door.

City of Las Vegas
Department of Planning
Code Enforcement Case Report

Fee Information:

Fee Name	Fee Added	Status	Liened	Fee Amount	Fee Paid	Fee Due
Residential Inspection Fee	5/8/2017	U	Y	$120.00	$0.00	$120.00
Residential Reinspection Fee	5/15/2017	U	Y	$180.00	$0.00	$180.00
First Residential Civil Penalty	5/15/2017	U	N	$150.00	$150.00	$0.00
Residential Reinspection Fee	6/7/2017	U	Y	$180.00	$0.00	$180.00
Second Residential Civil Penalty	6/7/2017	U	N	$300.00	$300.00	$0.00
Late Fee	6/23/2017	U	Y	$12.00	$0.00	$12.00
Late Fee	6/30/2017	U	Y	$18.00	$0.00	$18.00
Residential Reinspection Fee	7/5/2017	U	Y	$180.00	$0.00	$180.00
Third Residential Civil Penalty	7/5/2017	U	N	$500.00	$500.00	$0.00
Residential Reinspection Fee	7/5/2017	U	Y	$180.00	$0.00	$180.00
Fourth Residential Civil Penalty	7/5/2017	U	N	$500.00	$500.00	$0.00
Nuisance Abatement Fee	7/18/2017	U	Y	$4,850.00	$0.00	$4,850.00
Administrative	7/18/2017	U	Y	$727.50	$0.00	$727.50
Late Fee	7/23/2017	U	Y	$18.00	$0.00	$18.00
Late Fee	8/20/2017	U	Y	$18.00	$0.00	$18.00
Late Fee	8/20/2017	U	Y	$18.00	$0.00	$18.00
Residential Daily Civil Penalty Fee	9/28/2017	U	Y	$16,500.00	$0.00	$16,500.00
			Totals	$24,451.50	$1,450.00	$23,001.50

5805 Carl Ave.
Request of Waiver- History of Case

- Notice and Order Issued 5/10/2017 to Teresa Sanchez.
- Notice and Order Recorded 5/25/2017
- William Richardson purchased property 6/21/2017 for $175,300
- 6/15/2017 Mr. Richardson advised Code Enforcement he purchased property and would secure and abate violations. Staff advised he had one week to address issues.
- 6/21/2017 Staff inspected and verified property still open and unsecured.
- Code Enforcement moved forward on abatement on 7/18/2017

Submitted At Meeting
Date 7/17/19 Item 72

5805 Carl Ave.
Request of Waiver- History of Case

- Mr. Richardson notified of hearing to approved abatement costs and civil penalties. Mr. Richardson did not attend.
- Waiver request received 3/13/2018 from Mr. Richardson and his attorney Bob Olson.
- Property Sold – 4/13/2018 Jesus D. Dominguez Parreno for $259,900
- Zillow estimate of home value at time of sale: $248,000
- Hearing conducted 4/25/2018. Staff verified ownership information before hearing had changed on 4/13/2018, property sold to current property owner. Waiver was denied by the designee.
- Mr. Richardson could have filed for judicial review in district court if he disagreed with this determination.

5805 Carl Ave.
Notice and Order Issued – May 9, 2017

DEPARTMENT OF PLANNING
DEPUTY DIRECTOR
KAREN DUDDLESTEN

NOTICE AND ORDER

Inst #: 20170525-0001295
Fees: $27.00
N/C Fee: $0.00
05/25/2017 11:49:19 AM
Receipt #: 3093680
Requestor:
CITY OF LAS VEGAS, BUILDING
Recorded By: SCA Pgs: 11
DEBBIE CONWAY
CLARK COUNTY RECORDER

APN: 13824410035

Date: May 09, 2017
Case # 177430

SANCHEZ TERESA
5805 CARL AVE
LAS VEGAS NV 89108-2441

Certified/Regular Mail
Return Receipt Requested

SEVENTY-TWO (72) HOUR VACATE NUISANCE NOTICE AND ORDER TO COMPLY

You are hereby notified as recorded owner(s) of the building(s) located at **5805 CARL AVE., Las Vegas, NV., Parcel #(s) 13824410035**, that the Building Official or his designee has determined that the aforementioned building(s) is substandard and dangerous. Said building(s) is substandard and dangerous and declared a public nuisance as described under Las Vegas Municipal Code (LVMC) 9.04.010 and Section 202 of the Uniform Housing Code and, therefore, must be vacated

The following is a brief description of the violations:

16.08.010 UDB SEC 302 (12)

LVMC 16.08.010 Uniform Dangerous Building Code
Section 302 - Dangerous Building

(12) Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become

LAS VEGAS CITY COUNCIL
MAYOR CAROLYN G. GOODMAN
MAYOR PRO TEM STEVEN D. ROSS • LOIS TARKANIAN
RICKI Y. BARLOW • STAVROS S. ANTHONY • BOB COFFIN • BOB BEERS
CITY MANAGER ELIZABETH N. FRETWELL
Return to: CITY OF LAS VEGAS • 495 S. MAIN STREET • LAS VEGAS, NEVADA 89101
VOICE 702.229.6615 • FAX 702.382.4341 • TTY 7-1-1 • www.lasvegasnevada.gov

5805 Carl Ave. Abatement Lien Hearing Notification

LAS VEGAS CITY COUNCIL

CAROLYN G. GOODMAN
MAYOR

LOIS TARKANIAN
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PLANNING DEPARTMENT
CODE ENFORCEMENT
DIVISION
333 NORTH RANCHO DRIVE
LAS VEGAS, NEVADA 89106

VOICE 702.229.6615
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TTY 702.386.9108
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September 14, 2017

CASE #177430
Certified/Regular Mail
Return Receipt Requested

William Richardson
8924 Spanish Ridge Avenue
Las Vegas, NV 89149

RE: 5805 Carl Avenue

Dear Property Owner:

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON **WEDNESDAY, SEPTEMBER 27, 2017**, at the hour of **8:30 A.M.** in the Code Enforcement Conference Room, 333 North Rancho Drive, 3rd Floor, Las Vegas, NV, the Code Enforcement Hearing Officer will consider the REPORT OF EXPENSES submitted by the Director of Planning for: Abatement of the violations on the property located at **5805 Carl Avenue, Las Vegas, NV 89108 - Case No. 177430**. The Director of Planning certifies that the sum of **$6,501.50** was expended and Civil Penalties in the sum of **$19,500.00** may be imposed for a total of **$26,001.50**. For your information, a copy of the Report of Expenses is enclosed.

If the Code Enforcement Hearing Officer is satisfied with the report, he may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with Code Enforcement, 333 N Rancho Drive, 3rd Floor, Las Vegas, NV 89106 or fax (702) 382-4341 any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

You may be present at the hearing. You may be, but need not be, represented by an attorney.

If you have any questions concerning this procedure, please contact the Code Enforcement Division located in the Department of Planning, by telephoning (702) 229-6615.

Sincerely,

Vicki R. Ozuna, Code Enforcement Supervisor
Code Enforcement Division
Department of Planning

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Case #177430 #36

RICHARDSON WILLIAM
8924 SPANISH RIDGE AVE
LAS VEGAS, NV 89149

9590 9402 1829 6104 1377 81

? 1450 0001 9974 5048

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X S. Collett ☐ Agent ☐ Addressee

B. Received by (Printed Name) S. Collett C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

SEP 18 2017
WESTSIDE STATION

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☑ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over $500)
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

5805 Carl Ave. Abatement Lien Hearing Notification

APN: 138-24-410-035

Case: 177430
Code Enforcement Hearing – September 27, 2017

CODE ENFORCEMENT HEARING

AFFIDAVIT OF POSTING

I, Todd Fries an employee of the Code Enforcement Division, Department of Building & Safety of the City of Las Vegas, Nevada, do certify that on the 14th day of September, 2017, I personally posted the attached Notice of Code Enforcement Hearing upon the property located at **5805 Carl Avenue, Las Vegas, Nevada**, the attached Notice is in compliance with the Uniform Code for the abatement of nuisance.

EMPLOYEE

STATE OF NEVADA)
)
CLARK COUNTY)

Subscribed and sworn to before me, a Notary Public, on this 14th day of September, 2017

Laura deArmond
NOTARY PUBLIC in and for said County and State

LAURA deARMOND
Notary Public-State of Nevada
Appointment No. 01-66412-1
My Appointment Expires Feb 5, 2018

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Case #177430 #36

RICHARDSON WILLIAM
8924 SPANISH RIDGE AVE
LAS VEGAS, NV 89149

9590 9402 1829 6104 1377 81

? 1450 0001 9974 5048

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X S Collett ☐ Agent ☐ Addressee

B. Received by (Printed Name) S. Collett C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

SEP 18 2017
WESTRIDGE STATION

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☑ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over $500)
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

5805 Carl Ave. Hearing Decisions

City of Las Vegas
Department of Planning
Code Enforcement Division
333 N. Rancho Dr. 3rd Floor
Las Vegas, NV 89106

ABATEMENT HEARING AND LIEN APPROVAL DECISION

CASE#: 177430 **SCHEDULED DATE OF HEARING: September 27, 2017**

TIME SCHEDULED: 8:30 a.m.

PROPERTY OWNER'S NAME: WILLIAM RICHARDSON

ADDRESS: 5805 Carl Avenue
APN #: 138-24-410-035

I certify that on the date set forth below, I heard the above matter as Council Designee for the City of Las Vegas, Clark County, Nevada, pursuant to Las Vegas Municipal Code, Title 9 Nuisances.

After hearing/consideration, the decision is entered as follows:

- [x] Approved lien for all out-of-pocket costs in the amount of $6,501.50
- [x] Approved lien for proposed daily civil penalties in the amount of $16,500.00
- [ ] Approved lien for reduced daily civil penalties in the amount of $

Property Owner: [ ] Appeared [x] Failed to appear after being duly notified.

City Council Designee — Date: 9.27.17

Comments:

Abatement Hearing Decision- Form CE101 v1 02/2014

City of Las Vegas
Department of Planning
Code Enforcement Division
333 N. Rancho Dr. 3rd Floor
Las Vegas, NV 89106

WAIVER REQUEST HEARING DECISION

CASE#: 177430 SCHEDULED DATE OF HEARING: April 25, 2018

TIME SCHEDULED 9:40 am

WAIVER REQUESTOR'S NAME: RICHARDSON, WILLIAM

PROPERTY ADDRESS: 5805 CARL AVE

APN #: 138-24-410-035

I certify that on the date set forth below, I heard the above matter as Hearing Officer for the City of Las Vegas, Clark County, Nevada, pursuant to Las Vegas Municipal Code, Title 9 Nuisances.

After hearing/consideration, the decision is entered as follows:

- [x] Denial of request to reduce out-of-pocket costs in the amount of $ 6,501.50
- [ ] Approval of request to reduce out-of-pocket costs to the amount of $
- [x] Denial of request to reduce daily civil penalties in the amount of $ 16,500.00
- [ ] Approval of request to reduce daily civil penalties to the amount of $

Property Owner: [ ] Appeared [ ] Phone Conference

Bob Olson, Esq. Michael Costello, RE agent for Ms. Richardson. [ ] Failed to appear after being duly notified.

[ ] Payment to be made within 30 days of waiver fees/fines revert back to original amount.

City Council Designee — Date: 4-25-18

New Owner: Steve Domingo-Porras

Abatement Hearing Decision- Form CE101 v1 02/2014



5805 Carl Ave. Property before abatement

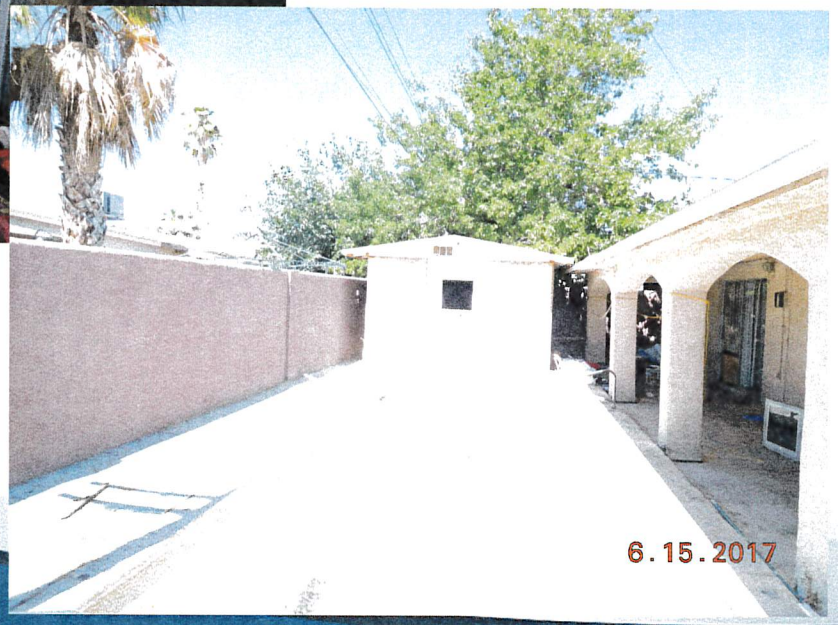


5805 Carl Ave. Property before abatement



5805 Carl Ave. Property before abatement

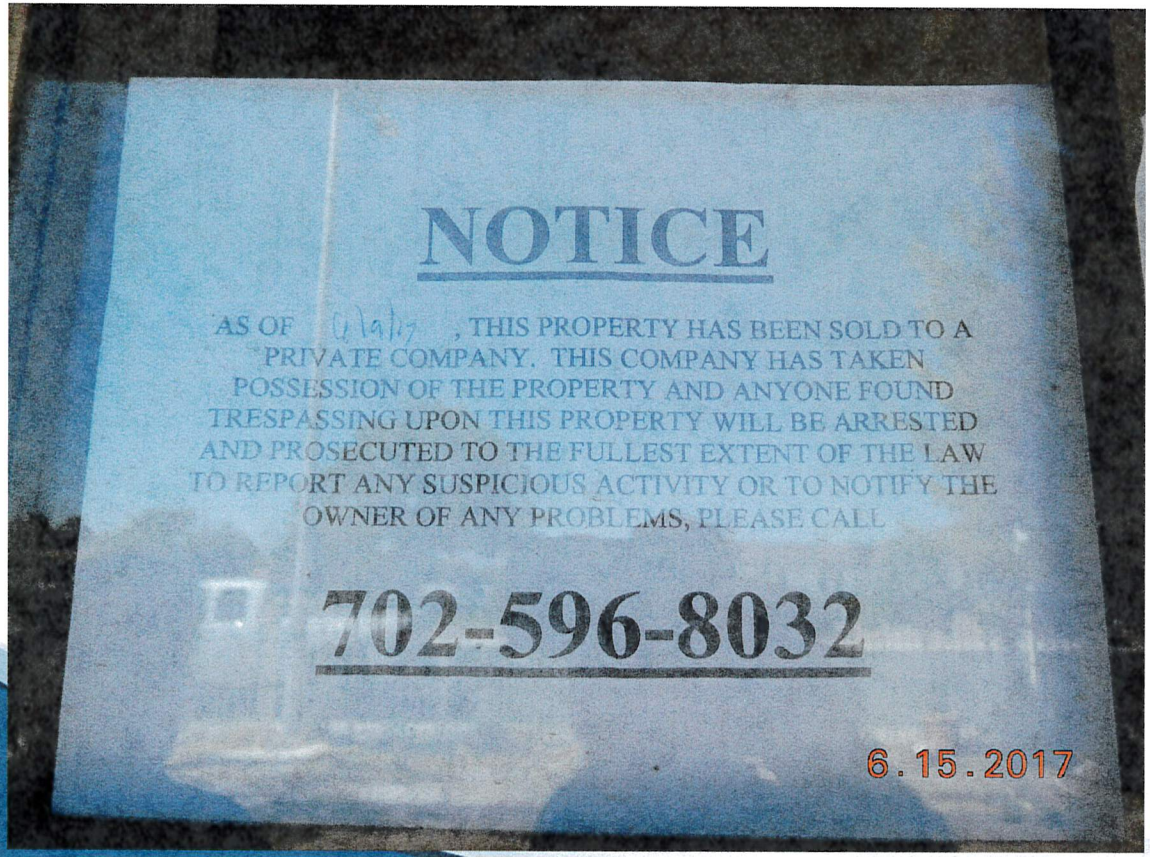




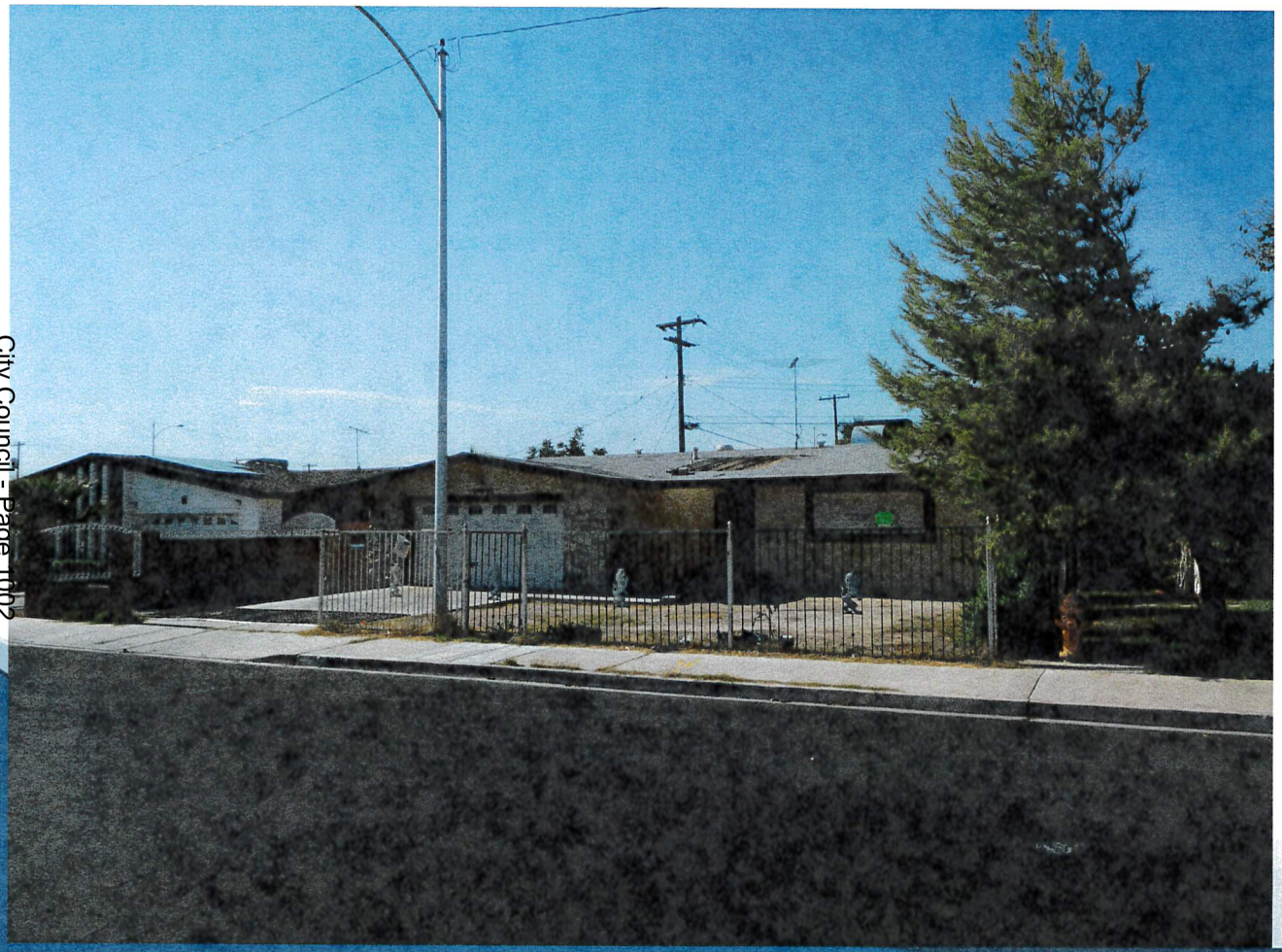
5805 Carl Ave. Property Before Abatement



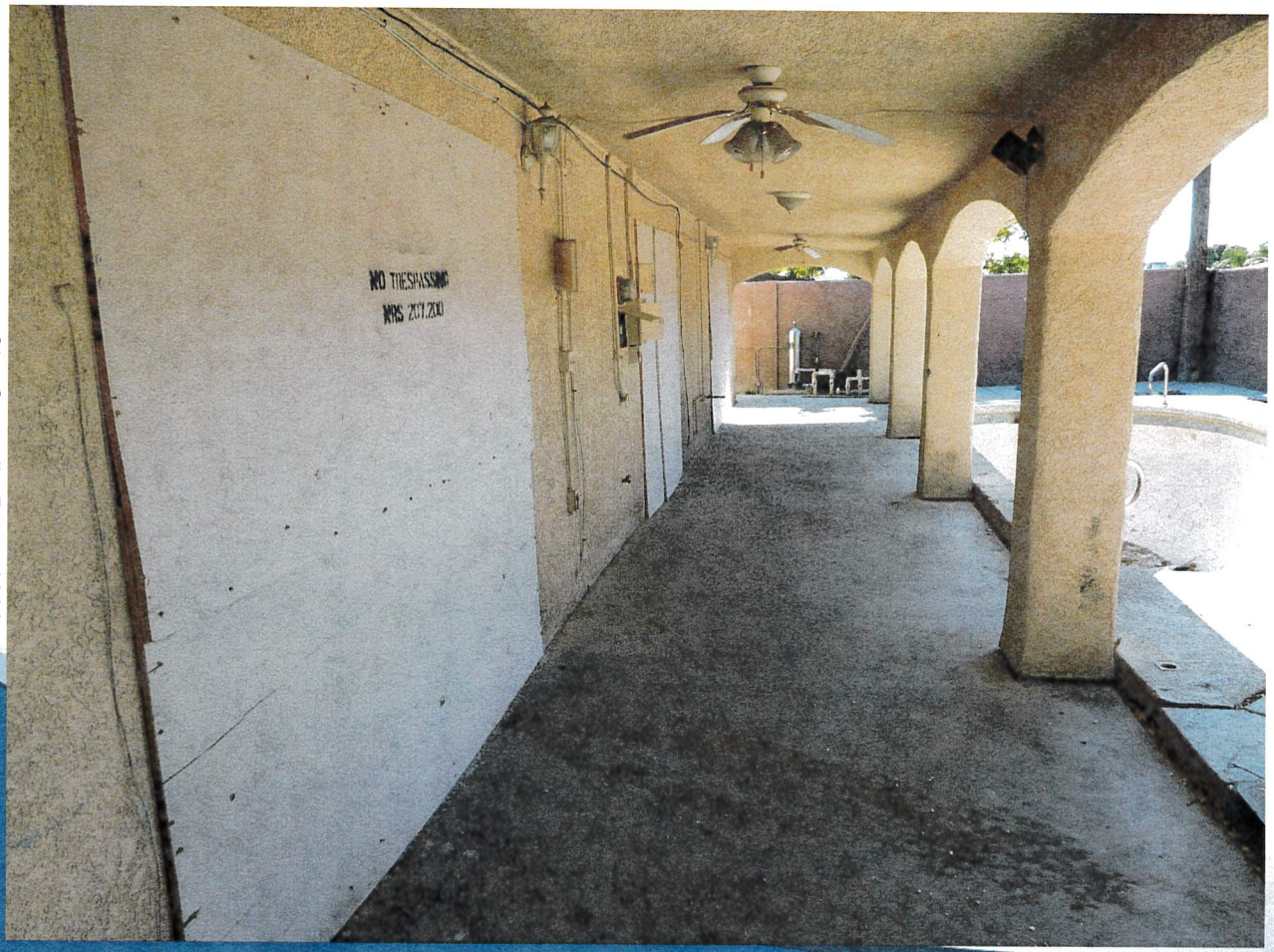
5805 Carl Ave. Property before abatement



5805 Carl Ave. Property before abatement

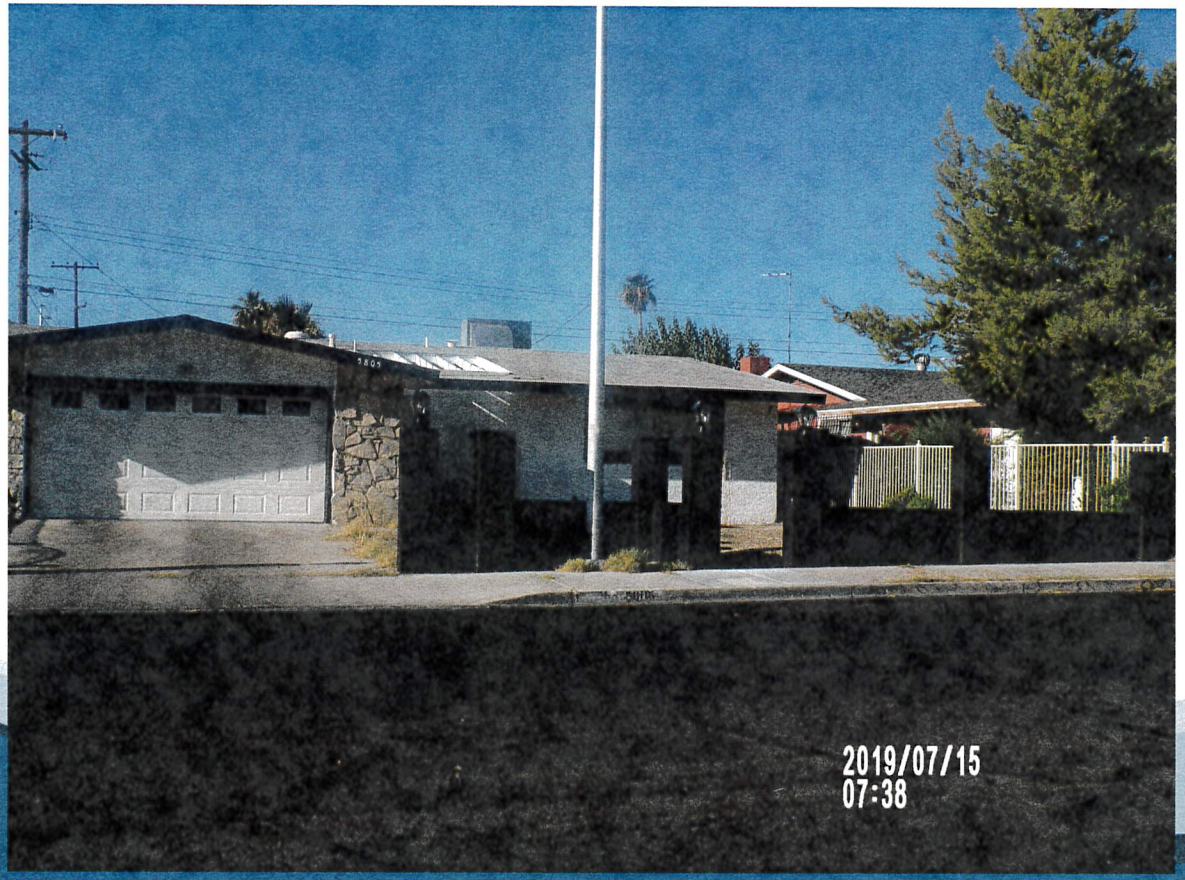


5805 Carl Ave. Property After Abatement



5805 Carl Ave. Property After Abatement

5805 Carl Ave.
Request of Waiver- Current Status



5805 Carl Ave.
Request of Waiver



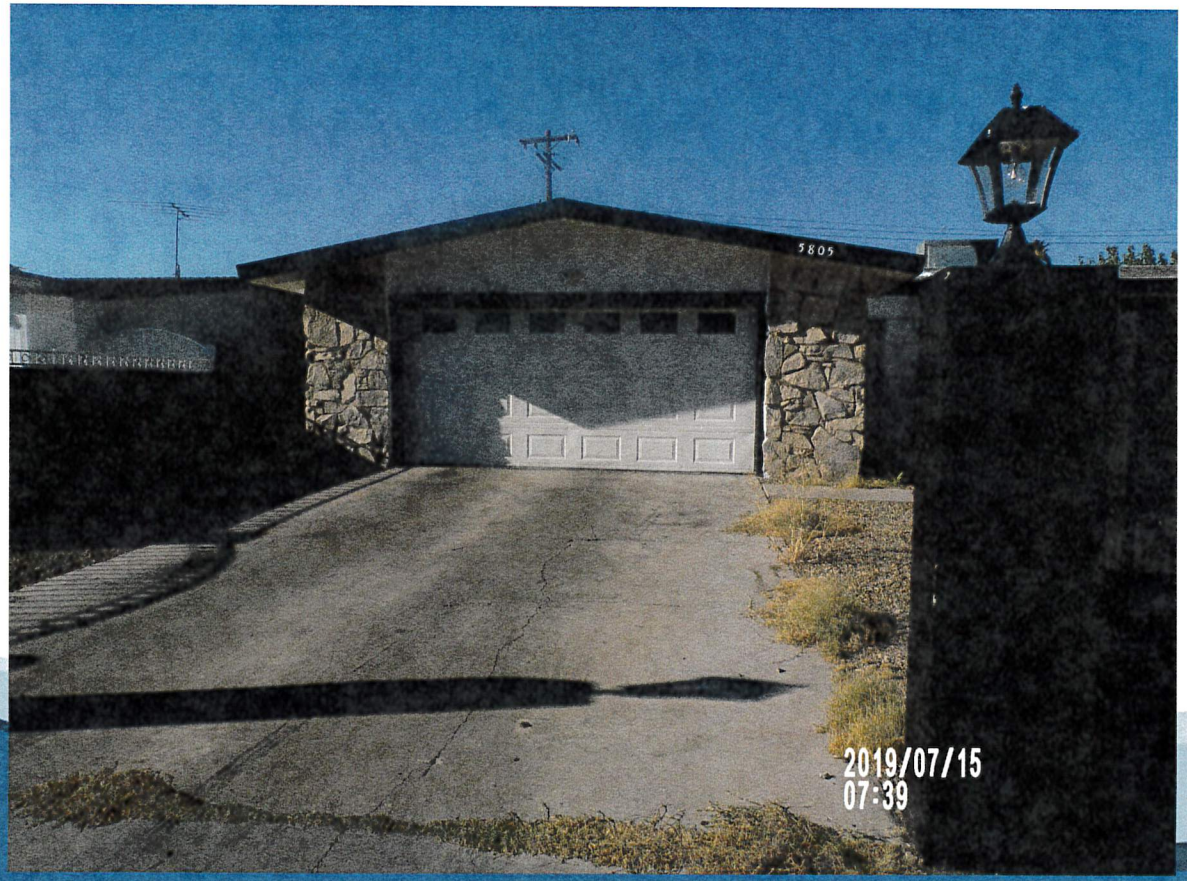
5805 Carl Ave.
Request of Waiver



5805 Carl Ave.
Request of Waiver



5805 Carl Ave.
Request of Waiver



5805 Carl Ave.
Request of Waiver



5805 Carl Ave.
Request of Waiver



AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
73

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
Public hearing and discussion for possible action to consider a request for a waiver and/or reduction of fees totaling $6,162.61 in out of pocket costs and $19,500 in civil penalties for a total of $25,662.61 recorded against the property at 1617 Yellow Rose Street - PROPERTY OWNER: MANANDIK ANTHONY MARK JR and GOC-ONG JOAN GARCIA - Ward 5 (Crear)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
Today's hearing is a request from Bob Gronauer, agent, to consider a request for a waiver and/or reduction of fees that have been assessed for failed inspection fees and penalties.

The case originated April 11, 2016 by a citizen complaint for an abandoned and unsecured property. The condition of the property was a public hazard and an attractive nuisance. The Department of Planning declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Planning hired E&M to board all doors, windows, and openings; remove weeds, apply herbicide; remove all trash and debris; remove dead trees; remove shed(s); and trim rear trees. A total of 11 inspections were completed before the case was closed July 18, 2016. The owner at the time of abatement was SCHIRIPA JOSEPH.

The property sold to William Richardson July 6, 2017 for $106,500.

Anthony Mark Manandik Jr and Joan Garcia Goc-Ong purchased the property May 17, 2018 for $199,900.

Planning received a Request for Waiver and/or Reduction of Civil Penalties application dated April 25, 2019 from Bob Gronauer, agent, requesting the fees and civil penalties be waived.

RECOMMENDATION:
That City Council deny the request for waiver and/or reduction of fees.

BACKUP DOCUMENTATION:
1. Notification Letter
2. Case Information
3. Submitted at Meeting – PowerPoint Presentation and Email

LAS VEGAS CITY COUNCIL

CAROLYN G. GOODMAN
Mayor

LOIS TARKANIAN
Mayor Pro Tem

STAVROS S. ANTHONY
BOB COFFIN
MICHELE FIORE
CEDRIC CREAR

SCOTT D. ADAMS
City Manager

June 24, 2019

Certified/Regular Mail
Return Receipt Requested

Certified Mail
7019 0140 0000 7562 0916

MANANDIK ANTHONY MARK JR
GOC-ONG JOAN GARCIA
1617 YELLOW ROSE ST
LAS VEGAS NV 89108

RE: 1617 YELLOW ROSE STREET

Dear Property Owner:

On April 5, 2019, the City of Las Vegas received a request of waiver of civil penalties and is scheduling your hearing before the City Council designee to be held on **JULY 17, 2019** at **11:00 AM**, to consider your request.

If you have any questions concerning this procedure, please contact the Code Enforcement Division located in the Department of Planning, by telephoning (702)229-6615.
Sincerely,

Vicki R. Ozuna, Code Enforcement Section Manager
Code Enforcement Division
Department of Planning

PLANNING DEPARTMENT
CODE ENFORCEMENT
DIVISION
333 NORTH RANCHO DRIVE
LAS VEGAS, NEVADA 89106

VOICE 702.229.6615
FAX 702.382-4341
TTY 702.386.9108
www.lasvegasnevada.gov

Code Enforcement Agenda Item Information Sheet

Ward 5 (Cedric Crear)

Case # CE-165392

Address: 1617 YELLOW ROSE ST

Description:

Major Cross Street: Decatur & Vegas

Zip Code: 89108

Forclosure: N

Registration Status:
Meets Registration Status: N
Property Registrered: Claimed
Lender Notified: N

Property Owner: MANDANIK ANTHONY MARK JR and GOC-ONG JOAN GARCIA

Since: 5/17/2018

Case Opened: 4/11/2016

Notice & Order Issued: 4/20/2016

Case Closed: 7/18/2016

City Council Approved Lien: 10/11/2016

Certified Mail Receipt Sent to: SCHIRIPA JOSEPH A 1617 YELLOW ROSE ST LAS VEGAS, NV 89108-2022
AMERICAN MORTGAGE NETWORK PO BOX 85463 SAN DIEGO, CA 92186
THE BANK OF NEW YORK MELLON 101 BARCLAY ST-4W NEW YORK, NY 10286

# of Inspections Completed: TOTAL (11), Fail (7); PartPassed (3); Passed (1)

Abatement of: Board all doors, windows, and openings; remove weeds, apply herbicide; remove all trash and debris; remove dead trees; remove shed(s); trim rear trees

Abatement Started: 6/29/2016 **Abatement Completed:** 7/18/2016

OUT-OF-POCKET COSTS	ASSESSED	PAID	OUTSTANDING
CC TAXROLL FEE	$987.02	$0.00	$987.02
ADMINISTRATIVE	$480.00	$0.00	$480.00
NUISANCE ABATEMENT FEE	$3,200.00	$0.00	$3,200.00
CLV INTEREST FOR TAXROLL	$571.59	$0.00	$571.59
INSPECTION COST RECOVERY FEE	$840.00	$0.00	$840.00
LATE FEES	$84.00	$0.00	$84.00
SUB-TOTAL OUT-OF-POCKET COSTS:	$6,162.61	$0.00	$6,162.61
CIVIL PENALTIES			
DAILY CIVIL PENALTIES	$19,500.00	$0.00	$19,500.00
TOTAL ALL COSTS, LATE FEE AND PENALTIES			$25,662.61

Property Value Per Zillow.com: $234,267.00 **As of:** 6/25/2019

Staff Recommendation:
DENIAL OF THE WAIVER REQUEST.

Condition of Waiver: Amount to be paid within 30 days or reverts back to original amount due.

GENERAL INFORMATION	
PARCEL NO.	139-19-413-005
OWNER AND MAILING ADDRESS	MANANDIK ANTHONY MARK JR GOC-ONG JOAN GARCIA 1617 YELLOW ROSE ST LAS VEGAS NV 89108
LOCATION ADDRESS CITY/UNINCORPORATED TOWN	1617 YELLOW ROSE ST LAS VEGAS
ASSESSOR DESCRIPTION	PARKCHESTER EST UNIT #4A PLAT BOOK 20 PAGE 4 LOT 5 BLOCK 2
RECORDED DOCUMENT NO.	* 20180517:01733
RECORDED DATE	May 17 2018
VESTING	JT
COMMENTS	C-20180517:1732

*Note: Only documents from September 15, 1999 through present are available for viewing.

ASSESSMENT INFORMATION AND VALUE EXCLUDED FROM PARTIAL ABATEMENT	
TAX DISTRICT	200
APPRAISAL YEAR	2018
FISCAL YEAR	2019-20
SUPPLEMENTAL IMPROVEMENT VALUE	0
INCREMENTAL LAND	0
INCREMENTAL IMPROVEMENTS	0

REAL PROPERTY ASSESSED VALUE		
FISCAL YEAR	2018-19	2019-20
LAND	16800	18200
IMPROVEMENTS	21394	22043
PERSONAL PROPERTY	0	0
EXEMPT	0	0
GROSS ASSESSED (SUBTOTAL)	38194	40243
TAXABLE LAND+IMP (SUBTOTAL)	109126	114980
COMMON ELEMENT ALLOCATION ASSD	0	0
TOTAL ASSESSED VALUE	38194	40243
TOTAL TAXABLE VALUE	109126	114980

ESTIMATED LOT SIZE AND APPRAISAL INFORMATION	
ESTIMATED SIZE	0.15 Acres
ORIGINAL CONST. YEAR	1980
LAST SALE PRICE MONTH/YEAR SALE TYPE	199900 5/2018 F - Foreclosure
LAND USE	20.110 - Single Family Residential
DWELLING UNITS	1

PRIMARY RESIDENTIAL STRUCTURE					
1ST FLOOR SQ. FT.	1336	CASITA SQ. FT.	0	ADDN/CONV	
2ND FLOOR SQ. FT.	0	CARPORT SQ. FT.	0	POOL	NO
3RD FLOOR SQ. FT.	0	STYLE	One Story	SPA	NO
UNFINISHED BASEMENT SQ. FT.	0	BEDROOMS	2	TYPE OF CONSTRUCTION	Frame-Siding/Shingle
FINISHED BASEMENT SQ. FT.	0	BATHROOMS	2 FULL	ROOF TYPE	Composition Shingle
BASEMENT GARAGE SQ. FT.	0	FIREPLACE	1		
TOTAL GARAGE SQ. FT.	240				

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING
CODE ENFORCEMENT DIVISION
333 N. Rancho Dr., 3rd Floor
Las Vegas, NV 89106

Fax (702) 382-4341
TDD (702) 229-6615
E-mail us at codeenforcement@lasvegasnevada.gov

Request for a Waiver and/or Reduction of Civil Penalties Application

Date of Application: 3/29/2019

Address of Subject Property: 1617 Yellow Rose St. LV, NV 89108

Closest Major Intersection: Vegas Dr. and Decatur Blvd Parcel Number: 139-19-413-005

Applicant type: (X) Property Owner ( ) Legal Representative or Agent for Property Owner
(MUST BE LICENSED IN NEVADA)

Property Owner Information

Name: Anthony M. Manandik & Joan Garcia Goc-Ong

[X] Check this box if address is the same as subject property, otherwise enter address below.

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ E-mail: _____

Legal Representative or Agent Information

Name: Bob Gronauer - Kaempfer Crowell

Address: 1980 Festival Plaza Dr 650 City: LV State: NV Zip: 89135

Phone: 702 792 7000 Fax: — E-mail: RJG@kenvlaw.com

A copy of executed Power of Attorney document affirming that the Property Owner has appointed you as their legal representative or agent must be attached to this application.

Reason for Waiver/Reduction Request

Are you being represented by a Lawyer? (✓) Yes ( ) No Has the property been rehabbed? (✓) Yes ( ) No

Is the property in escrow or recently sold? (✓) Yes ( ) No

Describe the existing condition/situation of the subject property (Additional sheets may be attached if needed)

The subject property has just gone thru a complete remodeled inside and out. The interior has all new paint, new texture, granite counters, new carpet, tile and all new fixtures, window coverings, closet doors, sinks and faucets. The exterior has all new landscaping front and rear, a new side fence and all new paint on the exterior.

Describe the immediate plans for the property, including any planned improvements (Additional sheets may be attached if needed)

The immediate and foreseeable future plans for the home is to live in the home and raise our new family.

Please describe your reason for the waiver/reduction request. Be specific and include all pertinent details such as names, dates and times. (Additional sheets may be attached if needed)

We recently purchased the home from a private investor, William Richardson. We are working in conjunction with him to have these civil penalites removed. These penalties were placed on the home before Mr. Richardson's involvment with the home. We are very happy with the home and are happy to help to have this situation rectified to everyone's satisfaction and that will also allow us to move forward with the enjoyment of our first home.

Amount of City of Las Vegas Lien on Property: $ 25,662.61 Amount requested for waiver and/or reduction: $ 25,662.61

Hearing Information

Property Owner
(Please choose one)

- [x] I acknowledge that I am the property owner and understand that I must attend the waiver request hearing.
- [ ] I as the property owner understand that I may only utilize representation by a lawyer if I am not in attendance of the hearing.
- [ ] I am the legal property owner and am requesting a hearing by conference call.

Legal Representative or Agent Information
(Please choose one)

- [ ] I am the property owner's legal representative and will attend the waiver request hearing
- [ ] I am the property owner's legal representative and and am requesting a hearing by conference call.

Acknowledgements

Please read and initial all of the following:

- [x] I acknowledge that the subject property will be inspected before the hearing with current conditions to be reported to the City Council Designee.
- [x] I understand that real estate personnel cannot represent my interest.
- [x] I understand that any paid fees and fines will not be refunded.
- [x] I understand that the City Council may choose to have my hearing conducted by a City Council Designee
- [x] I acknowledge that the City Council Designee is an attorney and is the designee of the City Council.
- [x] I acknowledge that I am agreeing to be bound by the decision of the City Council Designee
- [x] If I disagree with the decision of the City Council or the City Council Designee, I understand that my recourse is to file suit in District Court.

Anthony Marmolik JR / [signature] Date: 9/23/2018
Signature of Property Owner:

Date: _____
Signature of Legal Representative or Agent

Submit application by fax to 702 382-4341 or mail to: City of Las Vegas / Code Enforcement Division
333 N. Rancho Dr., 3rd Floor
Las Vegas, NV 89106

For Office Use Only

Council Ward: 1 Case/File Number: 165392 Council Action date of Lien: _____

KAEMPFER CROWELL
ATTORNEYS AT LAW

LAS VEGAS OFFICE

BOB GRONAUER
rgronauer@kcnvlaw.com
702.792.7052

LAS VEGAS OFFICE
1980 Festival Plaza Drive
Suite 650
Las Vegas, NV 89135
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

CARSON CITY OFFICE
510 West Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

March 29, 2019

CITY OF LAS VEGAS DEPARTMENT OF PLANNING
CODE ENFORCEMENT DIVISION
333 N. Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

Re: 1617 Yellow Rose Street – Waiver Request for Civil Penalties

To Whom It May Concern:

This office represents the seller of property located at 1617 Yellow Rose Street in Las Vegas (the "Property"). Please accept this letter and attached documentation as our formal request to waive the civil penalties attached to the Property.

Included with this letter is the following:

1) Request for a Waiver and/or Reduction of Civil Penalties Application signed by the Property owner;

2) City of Las Vegas pay off demand letter;

3) Notice and Claim of Lien of Assessment;

4) Before and after photos of the Property.

We respectfully request this waiver request be placed on the soonest available Las Vegas City Council agenda to be heard for decision. Thank you in advance for your consideration. Please do not hesitate to contact me with any questions or concerns.

Sincerely,

KAEMPFER CROWELL

Bob Gronauer

LAS VEGAS CITY COUNCIL

CAROLYN G. GOODMAN
MAYOR

STEVEN D. ROSS
MAYOR PRO TEM

LOIS TARKANIAN
RICKI Y. BARLOW
STAVROS S. ANTHONY
BOB COFFIN
BOB BEERS

ELIZABETH N. FRETWELL
CITY MANAGER

Planning Department
333 North Rancho Drive
Las Vegas, NV 89106

Code Enforcement 702-229-6615

www.lasvegasnevada.gov

September 19, 2016

CASE #165392
Certified/Regular Mail
Return Receipt Requested

Joseph A. Schiripa
1617 Yellow Rose Street
Las Vegas, NV 89108-2022

RE: 1617 Yellow Rose Street

Dear Property Owner:

Pursuant to Las Vegas Municipal Code for the Abatement of Dangerous Buildings/Nuisance Code and/or Housing Code, NOTICE IS HEREBY GIVEN THAT ON **TUESDAY, OCTOBER 11, 2016**, at the hour of **1:00 P.M.** in the Code Enforcement Conference Room, 333 North Rancho Drive, 3rd Floor, Las Vegas, NV, the Code Enforcement Hearing Officer will consider the REPORT OF EXPENSES submitted by the Director of Planning for: Abatement of the violations on the property located at **1617 Yellow Rose Street, Las Vegas, NV 89108 - Case No. 165392**. The Director of Planning certifies that the sum of **$4,604.00** was expended and Civil Penalties in the sum of **$19,500.00** may be imposed for a total of **$24,104.00**. For your information, a copy of the Report of Expenses is enclosed.

If the Code Enforcement Hearing Officer is satisfied with the report, he may order a lien of assessment recorded against the property. Any person affected by the proposed charge may file a written protest with Code Enforcement, 333 N Rancho Drive, 3rd Floor, Las Vegas, NV 89106 or fax (702) 382-4341 any time prior to the hearing. Each protest must contain a description of the property and the grounds for the protest.

If you have any questions concerning this procedure, please contact the Code Enforcement Division located in the Department of Planning, by telephoning (702) 229-6615.

Sincerely,

Karen L. Duddlesten

Karen L. Duddlesten, Deputy Director
Code Enforcement Division
Department of Planning

Memorandum

City of Las Vegas
Planning Department

To: LuAnn Holmes, MMC, City Clerk

From: Karen Duddlesten, Deputy Director – Code Enforcement Division

CC: File

Date: September 15, 2016

Re: Report of Expenses for the abatement of nuisance located at 1617 Yellow Rose Street - Ward 5 (Barlow)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance," the Department of Planning caused the above-referenced property to be corrected by boarding all doors, windows, and openings, removing dead trees rear yard, trim rear trees off house/patio cover, removing all refuse, waste, sheds, high weeds, and applying herbicide. The abatement was completed by E&M Enterprises on July 18, 2016 at a cost of $3,200.00, which was accepted by the Department of Planning.

Contract Amount Breakdown:	
Board all doors, windows, and openings.	$1,000.00
Cut/remove all high weeds, and apply herbicide.	$150.00
Remove all refuse and waste.	$1,400.00
Remove sheds.	$400.00
Trim rear trees off house/patio cover.	$100.00
Remove dead trees rear yard.	$150.00
AMOUNT DUE:	$3,200.00
Administrative Processing Fee:	$480.00
Reinspection Fees (w/late fees):	$924.00
TOTAL AMOUNT DUE:	**$4,604.00**
DAILY CIVIL PENALTIES ($500 Residential/$750 Commercial- Civil Penalty assessed Per Day From 11th day after Notice of Violation issued until Pre-Abatement Inspection)	**$19,500.00**
TOTAL AMOUNT DUE:	**$24,104.00**
OWNER OF RECORD	JOSEPH A. SCHIRIPA
PROPERTY ABATED:	1617 Yellow Rose Street
ASSESSOR PARCEL:	139-19-413-005
LEGAL DESCRIPTION:	PARKCESTER EST UNIT #4A
	PLAT BOOK 20 PAGE 4
	LOT 5 BLOCK 2

LVMC 9.04.020 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $120.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection.

In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. Penalties are assessed as follows:

2nd re-inspection a $180 re-inspection fee + a $150.00 civil penalty will be assessed;
3rd re-inspection a $180 re-inspection fee + a $300.00 civil penalty will be assessed;
4th re-inspection and additional re-inspections will be assessed a $180 re-inspection fee + a civil penalty. Residential ($500) or Commercial ($750)

If you do not correct the violation within that time, the City may issue a criminal misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred ($500.00) Dollars or fine of up to six (6) months in jail or both for each violation, or the City may direct a licensed contractor to remove the nuisance described below, or both.

Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance:
(1) shall be guilty of a misdemeanor citation:
(2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred ($500.00) dollars per day for residential properties, or ($750) dollars for commercial properties.

Civil penalties may be assessed for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. Any and all unpaid fees are subject to collection and/or liens.

Inst #: 20170508-0001903
Fees: $0.00
N/C Fee: $0.00
05/08/2017 03:13:52 PM
Receipt #: 3078356
Requestor:
CITY OF LAS VEGAS, BUILDING
Recorded By: TAH Pgs: 1
DEBBIE CONWAY
CLARK COUNTY RECORDER

APN 139-19-413-005

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **JOSEPH A. SCHIRIPA**
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.:	**139-19-413-005**
Commonly known as:	**1617 Yellow Rose Street**
Legal Description:	**ALPINE COURT OFFICE CONDO**
	PLAT BOOK 20 PAGE 4
	LOT 5 BLOCK 2

On **July 18, 2016**, as provided in the Title 9, Chapter 9, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Pursuant to Municipal Code 9.040.120, civil penalties in the amount of **$19,500.00** were levied against the property as for violation(s) of Municipal Code 9.04.010.

The Code Enforcement Hearing Officer, at a duly noticed hearing held on **October 11, 2016** ordered the above charges in the amount of **$19,500.00**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

Mary McElhone, Deputy City Clerk
495 South Main Street
Las Vegas, NV 89101

STATE OF NEVADA)
)
COUNTY OF CLARK)

Mary McElhone, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

Mary McElhone, Deputy City Clerk

Subscribed and sworn to before me this 19th day of October, 2016

Laura DeArmond
NOTARY PUBLIC, in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LAURA DE ARMOND
Appt. No. 01-66412-1
My Appt. Expires Feb. 5, 2018

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF PLANNING
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case #165392

Inst #: 20161026-0001876
Fees: $0.00
N/C Fee: $0.00
10/26/2016 11:51:30 AM
Receipt #: 2912443
Requestor:
CITY OF LAS VEGAS, BUILDING
Recorded By: GWC Pgs: 1
DEBBIE CONWAY
CLARK COUNTY RECORDER

APN 139-19-413-005

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **JOSEPH A. SCHIRIPA**
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: 139-19-413-005
Commonly known as: 1617 Yellow Rose Street
Legal Description: ALPINE COURT OFFICE CONDO
PLAT BOOK 20 PAGE 4
LOT 5 BLOCK 2

On **July 18, 2016**, as provided in the Title 9, Chapter 4, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due and proper notification.

Expenses costs and fees ("Actual Cost") in the amount of **$4,604.00** were incurred by the City of Las Vegas in the above-referenced nuisance abatement procedure. Additionally, pursuant to Municipal Code 9.04.120, civil penalties in the amount of **$19,500.00** were approved against the property for violations(s) of Municipal Code 9.04.010. The Code Enforcement Hearing Officer, at a duly noticed hearing held on **October 11, 2016** ordered the above Actual Cost in the amount of **$4,604.00**, be immediately assessed against the property by means of this Lien of Assessment with the lien duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this Lien of Assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

NOTE: The Code Enforcement Hearing Officer ordered the above civil penalties in the amount of **$19,500.00** be assessed against the property by recording a Lien of Assessment on or after **April 30, 2017**.

Mary McElhone, Deputy City Clerk
495 South Main Street
Las Vegas, NV 89101

STATE OF NEVADA)
)
COUNTY OF CLARK)

Mary McElhone, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

Mary McElhone, Deputy City Clerk

Subscribed and sworn to before me this 19th day of October, 2016

Laura deArmond
NOTARY PUBLIC, in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LAURA DE ARMOND
Appt. No. 01-66412-1
My Appt. Expires Feb. 5, 2018

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF PLANNING
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case #165392

City of Las Vegas
Department of Planning
Code Enforcement Case Report

Case #: CE-165392

1617 Yellow Rose St - Map # 02222-93 Parcel 13919413005

Owner Information:

Code Enforcement Internal Applicant

,

Zoning Information: R-1 (SINGLE FAMILY RESIDENTIAL)

Case Comments:

Case Assigned To: TODD C FRILEY **Follow Up Inspection Date:** 7/13/2016

Date Case Opened: 4/11/2016 **Ward:** 1 **Source:** CITZ

Date Case Resolved: 7/18/2016 **Disposition:** Abate

Property Info / Status: **Vacant:** N **Foreclosure:** N **Secure:** N

Violations:

AB-005	UAC 301.1 PERMITS REQUIRED	5/18/2016	Complied
Location:	Property		
Comments:	Please obtain all required permits for electric meter prior to obtaining legal power.		
AB-006	16.08.010 UDB SEC 403	4/15/2016	Complied
Location:	Property		
Comments:	Please board/secure property to City of Las Vegas specifications and maintain.		
AB-006L	16.08.010 UDB SEC 302 (12)	4/15/2016	Complied
Location:	Property		
Comments:	Please board/secure property to prevent a harbor for vagrants or an attractive nuisance to children.		
AB-008I	HC-SEC 701.2 ELECTRICAL EQUIP	4/15/2016	Complied
Location:	Propertry		
Comments:	Please obtain legal power from NV Energy to make house habitable. No occupying house until power has been restored.		
AB-008X	HC-SEC 1103 VACATE ORDER	4/15/2016	Complied
Location:	Property		
Comments:	Property may not be occupied without essential services. Do not occupy house.		
AN-003	9.04.010 (4) REFUSE & WASTE	4/15/2016	Complied
Location:	Property		
Comments:	Please remove all refuse and waste from property and maintain.		
AN-005	9.04.010 (8) GENERAL NUISANCE	4/15/2016	Complied
Location:	Property		
Comments:	All essential services must be provided to make house habitable. Do not occupy property.		
AN-006	9.04.010(8)(A) HIGH VEGETATION	4/15/2016	Complied

City of Las Vegas
Department of Planning
Code Enforcement Case Report

Location:	Property		
Comments:	Please cut/remove all high weeds over 8 inches in public view and maintain.		
AN-007	9.04.010(8)(B) DEAD VEGETATION	5/18/2016	Complied
Location:	Property		
Comments:	Please remove all dead vegetation from property.		
AN-009	9.04.010 (8)(D) DILAPIDATED	4/16/2016	Complied
Location:	Property		
Comments:	Please repair wooden fence and maintain.		
AZ1-2E2	19.06.070 R-1 ACCESS STRUCTURE	4/16/2016	Complied
Location:	Property		
Comments:	Shed does not meet required set backs. Obtain set backs or remove.		

Chronology of Events:

April 14, 2016	**Phone Call**
	Advanced Person,RealTime phones,email,relatives search-results found-referred to CE officer#36
April 14, 2016	**Insp# : 572005 (PartPassed)**
	36) There is some high weeds and small amount of refuse. I spoke to two neighbors and they indicate that they have seen some people around. Power is not on at this time. Water is active. Neighbor indicated early morning could be good time to see if someone was here.
April 15, 2016	**Insp# : 572471 (Fail)**
	36) Early inspection to see if anyone would come to the door. No answer. Side gate is still locked and yesterday front security gate had chain around it but it was not locked. It is now locked. Fallen tree debris at corner of front yard. Pile of yard debris in a pile with fresh rack marks in the dirt yard. I see bike tire marks through the yard to the front door. There is a hot water heater setting in front of the single car garage and mattress are visible on side of house. There is a large access hole to attic/air conditioning unit that is open. Neighbor indicated that moving van was here several months ago. Neighbor indicated that she has seen people come and go from this property on bikes. Took pictures and will start N and O.
April 16, 2016	**Correspondence Email**
	36) Email sent to safeguard, lps, altisource to see if propertry belongs to them.
April 16, 2016	**Research**
	36) All phone numbers and emails from Nexis Lexis search came up with no results.
April 16, 2016	**Research**
	36) No additional houses in Assessors with this last name, No probate on file, No additional information in sewer.
April 16, 2016	**Research**
	36) No additional information found on google
April 16, 2016	**Insp# : 572474 (PartPassed)**

City of Las Vegas
Department of Planning
Code Enforcement Case Report

Chronology of Events:	
	36) I received phone call from complainant this morning around 7:30 am. He indicated that the police were already out this morning to this property due to smoke coming out of the fire place. He indicated no one would come to the door. I drove out and knocked vigorously on the front door which the security door was not locked. No answer. Side wood fence has collapsed in the wind. Shed to close to the house. Front door has hole in it and I can see two bikes in the hall way and I can smell smoke coming from the chimney but no one would come to the door. Took pictures and went around the corner. a few minutes later a male came out and started locking the gate. I drove up and was able to make contact with Joh Sebastian Plute ID number 1601237501 DOB 7-20-73. With him was a female who would not show ID but identified herself as Michelle Hall DOB 12-2-73. She indicated she was living on Parkchester before. She indicated they have been at the proeprty for about a week. She indicated she was unable to get power on. She felt something was not right. I indicated that she needed to leave and Notice and Order was going to be put on the house come Monday.
April 20, 2016	**Notice & Order Processing** 21)Refer to TF to post and mail
April 20, 2016	**Insp# : 572499 (PartPassed)** 36) Posted 72 hour vacate notice on front door. Shopping cart by front door. No lock on front security gate. No answer at door. Red Tag on garage door. I talked to postoffice worker and he indicated that almost 6 months ago he talked to a relative that indicated the owner was termanily ill. The realitive was from California. No active power at this time.
April 21, 2016	**Insp# : 572898 (PartPassed)** 36) I went out with NV Energy to verify no power theft. No answer at door. Sewage is now coming out of the clean out. I took pictures and texted to Jonathan Dalton with Health District. He will be opening case for it. He was able to search Vital Records and owner died in October 2015.
May 18, 2016	**Research** 36) No change to ownership in Assessors nor any changes to Recorders records.
May 18, 2016	**Insp# : 573084 (Fail)** 36) Red tag off again at property. Neighbor called last week and indicated that moving van came and people left but it appears there is still activity at the house. Electric metere is now being tampered with and power theft is occuring. I will prepare abatement bid sheet and I took pictures. Power company called LVWWD and they will be shutting off water for past due amount. Water meter is spinning slowly. Trash and debris still visible and opening still above roof. Back slider is open small amount.
May 24, 2016	**Bid Request By Officer** 21)refer to office staff GF for bids
May 24, 2016	**Bid Preperation** Bid Preparation - awaiting fax receipt
May 24, 2016	**Bid Request Sent** RFQ sent to contractors due 5-27-16 by 5:00 pm
May 26, 2016	**Insp# : 576808 (Fail)** 36) I was driving by property and front door is open. There is feces flung on the wall and no one at property at this time. Female who was here at one of the first inspections was down the street with a shopping cart for of her belongings and indicated she was not at property any more.
June 6, 2016	**Bid Received**

City of Las Vegas
Department of Planning
Code Enforcement Case Report

Chronology of Events:

	Scanned & recorded bids received
June 6, 2016	**Adminstrative** Bid approval given to #21
June 6, 2016	**10 Day Notice Processing** 10 Day notice before abatement sent, file given to #36 for posting.
June 7, 2016	**Insp# : 576809 (Fail)** 36) Property still in violation. Took pictures. POSTED 10 DAY BEFORE ABATEMENT on front door. No answer at door.
June 20, 2016	**Insp# : 577693 (Fail)** 36) Property is still open at this time. All violations still present. It appears that power is being stollen again. I will call NV Energy to check on it again. Took pictures and will move forward with abatement.
June 21, 2016	**Research** 36) No change in ownership on Assessors page and no new information on Recorders office. Proceeding with abatement. Owner is still dead.
June 22, 2016	**Proceed With Abatement** 21)refer to office staff LD to proceed.
June 23, 2016	**Adminstrative** Ld) PO requested
June 28, 2016	**Video Request** Ld) PO 360906 approved, sent before abatement video/start date request to #21
June 29, 2016	**Pre-Abatement Video** 21)photos in f drive tony
June 29, 2016	**Insp# : 578928 (Fail)** 21)Property open/accessible- front door open,garage door accessible, small access opening near roof opening.Debris in rear yard and North sideyyard. Non-permmited shed on North sideyard to be removed. E&M
July 6, 2016	**Video Request** Ld) sent after abatement video request to #21
July 18, 2016	**Post-Abatement Video** 21)photos in f drive tony
July 18, 2016	**Insp# : 579647 (Passed)** 21)All doors and windows now boarded and secure. Non permitted shed removed. Vegetation growing onto roof top cut back. All refuse/trash removed. High grass/weeds removed. E&M/ close.
August 17, 2016	**Correspondence Email**

City of Las Vegas
Department of Planning
Code Enforcement Case Report

Chronology of Events:

Email from MCS. I emailed back that property was abated by the City and to contact Laura for payoff demand.
From: Kent Bryan [mailto:Kent.Bryan@mcs360.com]
Sent: Wednesday, August 17, 2016 1:23 PM
To: Karen Duddlesten
Subject: 1617 YELLOW ROSE STREET LAS VEGAS, NV 89108

Good Afternoon,
We have received a violation notice for one of the property's that we are currently servicing located at 1617 Yellow Rose ST in Las Vegas, NV 89108. In that violation notice it says that the city has scheduled the work to be completed by the city contractors, has that work been completed yet? Or do we still have time for our vendors to complete the work? If you have any questions let me know, thank you.
Respectfully,

Kent Bryan
Asset Preservation Coordinator
Mortgage Contracting Services
214-569-9669 direct
Kent.Bryan@MCS360.com

Please note: our office is now located at 350 Highland Drive, Suite 100, Lewisville, TX 75067.
All phone numbers will remain the same until further notice.

Fee Information:

Fee Name	Fee Added	Status	Liened	Fee Amount	Fee Paid	Fee Due
Residential Inspection Fee	5/26/2016	U	Y	$120.00	$0.00	$120.00
Residential Reinspection Fee	5/26/2016	U	Y	$180.00	$0.00	$180.00
First Residential Civil Penalty	5/26/2016	U	Y	$150.00	$0.00	$150.00
Residential Reinspection Fee	6/7/2016	U	Y	$180.00	$0.00	$180.00
Second Residential Civil Penalty	6/7/2016	U	Y	$300.00	$0.00	$300.00
Residential Reinspection Fee	6/21/2016	U	Y	$180.00	$0.00	$180.00
Third Residential Civil Penalty	6/21/2016	U	Y	$500.00	$0.00	$500.00
Nuisance Abatement Fee	6/28/2016	U	Y	$3,200.00	$0.00	$3,200.00
Administrative	6/28/2016	U	Y	$480.00	$0.00	$480.00
Residential Reinspection Fee	6/29/2016	U	Y	$180.00	$0.00	$180.00
Fourth Residential Civil Penalty	6/29/2016	U	Y	$500.00	$0.00	$500.00
Late Fee	7/13/2016	U	Y	$18.00	$0.00	$18.00
Late Fee	7/13/2016	U	Y	$12.00	$0.00	$12.00
Late Fee	7/23/2016	U	Y	$18.00	$0.00	$18.00

City of Las Vegas
Department of Planning
Code Enforcement Case Report

Late Fee	8/6/2016	U	Y	$18.00	$0.00	$18.00
Late Fee	8/14/2016	U	Y	$18.00	$0.00	$18.00
Residential Daily Civil Penalty Fee	10/13/2016	U	Y	$18,050.00	$0.00	$18,050.00
Clv Interest For Taxroll	6/25/2018	U	N	$571.59	$0.00	$571.59
Cc Taxroll Fee	6/25/2018	U	N	$987.02	$0.00	$987.02
				Totals $25,662.61	$0.00	$25,662.61

1617 Yellow Rose St.
Property Information

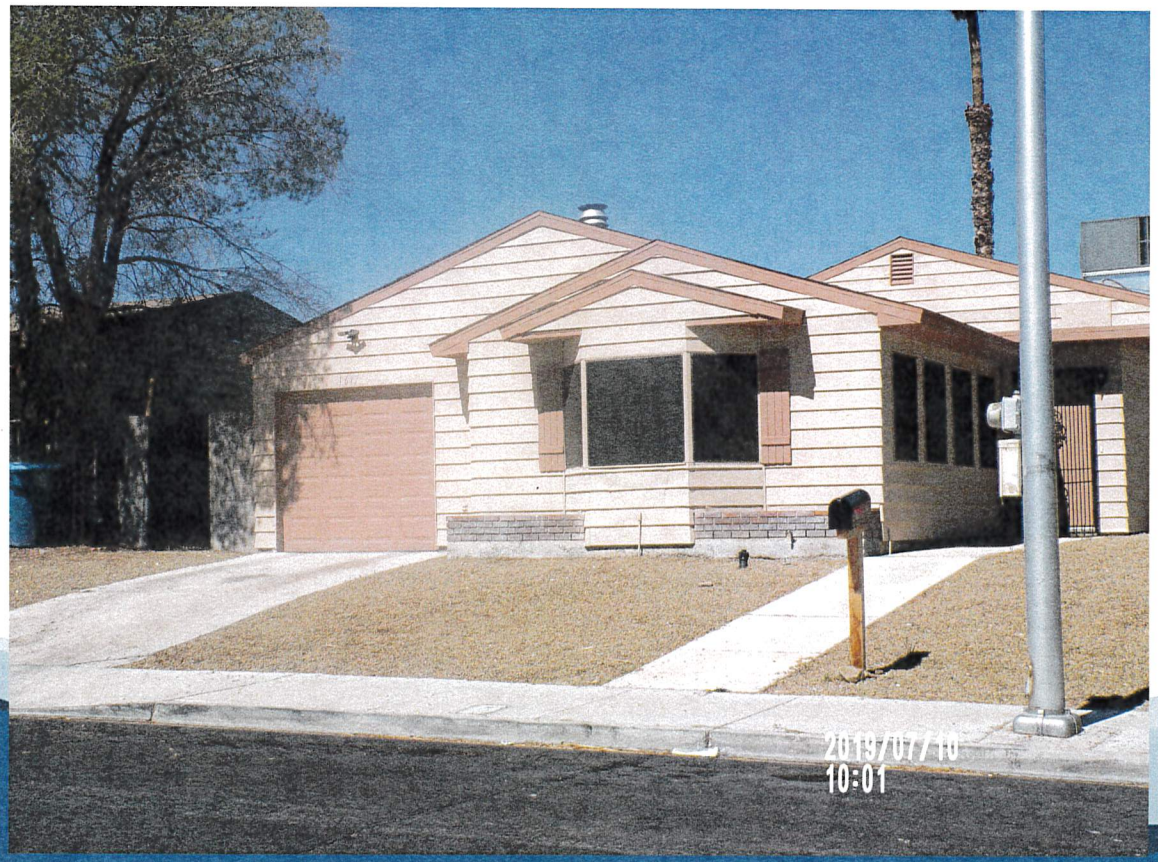
- Case was initiated on 4/11/2016
- Notice and Order Issued to Joseph Schiripa on 4/20/2016
- Abatement Completed on 6/29/2016. Abatement included securing of all open doors and windows, removal of high weeds, refuse and waste, dead trees and dilapidated shed.
- Abatement and Civil Penalties liens were approved 10/11/2016.
  - Out of pocket Costs - $4604.04 Recorded on 10/26/2016
  - Civil Penalties - $19,500 Recorded on 5/8/2017
- Property Sent to Clark County Tax Roll- Incurred additional costs
  - $1571.59

Submitted At Meeting
Date 7/17/19 Item 73

1617 Yellow Rose St.
Property Information

- William Richardson purchased property on 7/17/2017 for $106,500 from a Trustee Sale (foreclosure)
- Code Enforcement received a waiver request on 4/24/2018
- Waiver Hearing was scheduled on 5/30/2018.
- Property was sold to current owner on 5/17/2018 for $213,000.
- Designee denied the request as Mr. Richardson did not have standing to request waiver.
- Mr. Richardson could have filed for judicial review.
- Funds from sale have been sitting in escrow.
- The current property owner did not request this waiver hearing.

1617 Yellow Rose ST.
Request of Waiver



1617 Yellow Rose ST.
Request of Waiver



1617 Yellow Rose ST.
Request of Waiver



1617 Yellow Rose ST.
Request of Waiver



1617 Yellow Rose ST.
Request of Waiver



Tom Perrigo

From: Vicki Ozuna
Sent: Tuesday, July 16, 2019 5:55 PM
To: Cedric Crear; Cedric Crear
Cc: Robert Summerfield; Tom Perrigo; Bryan Scott
Subject: FW: 1617 Yellow Rose st.

I heard there was questions at briefings on if this property owner is being represented by William Richardson's attorney Mr. Gronauh. I have forwarded an email from the property owner who advised he is not being represented by them. He has only wanted for his property to be cleared of liens since it came to his attention that they were outstanding against the property.

On the application that Mr. Gronauh provided that is in the back up, we received in May 2019. They had attached an old waiver request, that Mr. Manandik did sign in Sept of 2018, but it was never submitted to our office for processing. That is why I contacted him to verify they were representing him.

Hope this clarifies the situation.

Vicki

From: Anthony Manandik <silkythefresh@yahoo.com>
Sent: Monday, June 03, 2019 5:50 PM
To: Vicki Ozuna <vozuna@LasVegasNevada.GOV>
Subject: 1617 Yellow Rose st.

EXTERNAL EMAIL

Hello,

I am writing this email to confirm that I am not being represented. The only thing my family and I want is for WFG title to pay off this lien. This lien was not even disclosed to us at closing. We do not want to wait any longer it has already been over a year!

Sent from Yahoo Mail on Android

Submitted at City Council
Date 7/17/19 Item 73
By: STAFF

AGENDA SUMMARY PAGE
City Council
Meeting of: July 17, 2019

Agenda Item No.:
74

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
Public hearing and discussion for possible action to consider a request for waiver and/or reduction of fees totaling $5,064 in out of pocket costs and $19,500 in civil penalties for a total of $24,564 recorded against the property at 4995 Irene Avenue - PROPERTY OWNER: CEBALLOS XAVIER & ELISA PULIDO ETAL and BALCARCEL JANETH - Ward 3 (Diaz)

FISCAL IMPACT:
None

PURPOSE/BACKGROUND:
Today's hearing is a request from Bob Gronauer, agent, to consider a request for a waiver and/or reduction of fees that have been assessed for failed inspection fees and penalties.

The case originated August 24, 2016 by a citizen complaint of squatter activity. The condition of the property was a public hazard and an attractive nuisance. The Department of Planning declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Planning hired Complete Demo Services to board all doors, windows, and openings; remove all trash and debris; remove graffiti; remove weeds, apply herbicide; remove accessory building; and secure fence. A total of 10 inspections were completed before the case was closed January 17, 2017. The owner at the time of abatement was MAGANA JOSE LUIS & MAYRA.

The property sold to William Richardson August 28, 2017 for $205,700.

CEBALLOS XAVIER & ELISA PULIDO ETAL and BALCARCEL JANETH purchased the property May 1, 2018 for $365,000.

Planning received a Request for Waiver and/or Reduction of Civil Penalties application dated April 25, 2019 from Bob Gronauer, agent, requesting the fees and civil penalties be waived.

RECOMMENDATION:
That City Council deny the request for waiver and/or reduction of fees.

BACKUP DOCUMENTATION:
1. Notification Letter
2. Case Information
3. Submitted at Meeting – PowerPoint Presentation and Email

LAS VEGAS CITY COUNCIL

CAROLYN G. GOODMAN
Mayor

LOIS TARKANIAN
Mayor Pro Tem

STAVROS S. ANTHONY
BOB COFFIN
MICHELE FIORE
CEDRIC CREAR

SCOTT D. ADAMS
City Manager

June 24, 2019

Certified/Regular Mail
Return Receipt Requested

Certified Mail
7019 0140 0000 7562 0923

CEBALLOS XAVIER & ELISA PULIDO ETAL
BALCARCEL JANETH
4995 IRENE AVE
LAS VEGAS NV 89110

RE: 4995 IRENE AVENUE

Dear Property Owner:

On April 5, 2019, the City of Las Vegas received a request of waiver of civil penalties and is scheduling your hearing before the City Council designee to be held on **JULY 17, 2019** at **11:00 AM**, to consider your request.

If you have any questions concerning this procedure, please contact the Code Enforcement Division located in the Department of Planning, by telephoning (702)229-6615.
Sincerely,

Vicki R. Ozuna, Code Enforcement Section Manager
Code Enforcement Division
Department of Planning

PLANNING DEPARTMENT
CODE ENFORCEMENT
DIVISION
333 NORTH RANCHO DRIVE
LAS VEGAS, NEVADA 89106

VOICE 702.229.6615
FAX 702.382-4341
TTY 702.386.9108
www.lasvegasnevada.gov

Code Enforcement Agenda Item Information Sheet

Ward 3 (Bob Coffin)

Case # CE-170018

Address: 4995 IRENE AVE

Description:

Major Cross Street: Bonanza & Nellis

Zip Code: 89110

Forclosure: N

Registration Status:
Meets Registration Status: N
Property Registrered: Claimed
Lender Notified: N

Property Owner: CEBALLOS XAVIER & ELISA PULIDO ETAL
BALCARCEL JANETH

Since: 5/1/2018

Case Opened: 8/24/2016

Notice & Order Issued: 10/5/2016

Case Closed: 1/17/2017

City Council Approved Lien: 3/29/2017

Certified Mail Receipt Sent to: MAGANA JOSE LUIS & MAYRA I 4995 IRENE AVE LAS VEGAS, NV 89110-2445

# of Inspections Completed: TOTAL (10), Fail (7); PartPassed (2); Passed (1)

Abatement of: Board all doors, windows, and openings; remove all trash and debris; remove graffiti; remove weeds, apply herbicide; remove accessory building; secure fence.

Abatement Started: 1/5/2017

Abatement Completed: 1/17/2017

OUT-OF-POCKET COSTS	ASSESSED	PAID	OUTSTANDING
ADMINISTRATIVE	$540.00	$0.00	$540.00
NUISANCE ABATEMENT FEE	$3,600.00	$0.00	$3,600.00
INSPECTION COST RECOVERY FEE	$840.00	$0.00	$840.00
LATE FEES	$84.00	$0.00	$84.00
SUB-TOTAL OUT-OF-POCKET COSTS:	$5,064.00	$0.00	$5,064.00
CIVIL PENALTIES			
DAILY CIVIL PENALTIES	$19,500.00	$0.00	$19,500.00
TOTAL ALL COSTS, LATE FEE AND PENALTIES			$24,564.00

Property Value Per Zillow.com: $319,933.00

As of: 6/25/2019

Staff Recommendation:
DENIAL OF THE WAIVER REQUEST.

Condition of Waiver: Amount to be paid within 30 days or reverts back to original amount due.

GENERAL INFORMATION	
PARCEL NO.	140-29-810-018
OWNER AND MAILING ADDRESS	CEBALLOS XAVIER & ELISA PULIDO ETAL BALCARCEL JANETH 4995 IRENE AVE LAS VEGAS NV 89110
LOCATION ADDRESS CITY/UNINCORPORATED TOWN	4995 IRENE AVE LAS VEGAS
ASSESSOR DESCRIPTION	SUNLAND VILLAGE PLAT BOOK 4 PAGE 91 LOT 1 BLOCK 3
RECORDED DOCUMENT NO.	* 20180501:00938
RECORDED DATE	May 1 2018
VESTING	JT
COMMENTS	C-20180501:937,939

*Note: Only documents from September 15, 1999 through present are available for viewing.

ASSESSMENT INFORMATION AND VALUE EXCLUDED FROM PARTIAL ABATEMENT	
TAX DISTRICT	200
APPRAISAL YEAR	2018
FISCAL YEAR	2019-20
SUPPLEMENTAL IMPROVEMENT VALUE	0
INCREMENTAL LAND	0
INCREMENTAL IMPROVEMENTS	0

REAL PROPERTY ASSESSED VALUE		
FISCAL YEAR	2018-19	2019-20
LAND	24500	28000
IMPROVEMENTS	29875	30630
PERSONAL PROPERTY	0	0
EXEMPT	0	0
GROSS ASSESSED (SUBTOTAL)	54375	58630
TAXABLE LAND+IMP (SUBTOTAL)	155357	167514
COMMON ELEMENT ALLOCATION ASSD	0	0
TOTAL ASSESSED VALUE	54375	58630
TOTAL TAXABLE VALUE	155357	167514

ESTIMATED LOT SIZE AND APPRAISAL INFORMATION	
ESTIMATED SIZE	0.52 Acres
ORIGINAL CONST. YEAR	1978
LAST SALE PRICE MONTH/YEAR SALE TYPE	365000 5/2018 F - Foreclosure
LAND USE	20.110 - Single Family Residential
DWELLING UNITS	1

PRIMARY RESIDENTIAL STRUCTURE					
1ST FLOOR SQ. FT.	1930	CASITA SQ. FT.	0	ADDN/CONV	YES
2ND FLOOR SQ. FT.	0	CARPORT SQ. FT.	0	POOL	NO
3RD FLOOR SQ. FT.	0	STYLE	One Story	SPA	NO
UNFINISHED BASEMENT SQ. FT.	0	BEDROOMS	3	TYPE OF CONSTRUCTION	Frame-Stucco
FINISHED BASEMENT SQ. FT.	0	BATHROOMS	2 FULL	ROOF TYPE	Composition Shingle
BASEMENT GARAGE SQ. FT.	0	FIREPLACE	0		
TOTAL GARAGE SQ. FT.	0				

LAS VEGAS CITY COUNCIL

CAROLYN G. GOODMAN
Mayor

LOIS TARKANIAN
Mayor Pro Tem

STAVROS S. ANTHONY
BOB COFFIN
MICHELE FIORE
CEDRIC CREAR

SCOTT D. ADAMS
City Manager

June 24, 2019

Certified/Regular Mail
Return Receipt Requested

Certified Mail
7019 0140 0000 7562 0923

CEBALLOS XAVIER & ELISA PULIDO ETAL
BALCARCEL JANETH
4995 IRENE AVE
LAS VEGAS NV 89110

RE: 4995 IRENE AVENUE

Dear Property Owner:

On April 5, 2019, the City of Las Vegas received a request of waiver of civil penalties and is scheduling your hearing before the City Council designee to be held on **JULY 17, 2019** at **11:00 AM**, to consider your request.

If you have any questions concerning this procedure, please contact the Code Enforcement Division located in the Department of Planning, by telephoning (702)229-6615.
Sincerely,

Vicki R. Ozuna, Code Enforcement Section Manager
Code Enforcement Division
Department of Planning

PLANNING DEPARTMENT
CODE ENFORCEMENT
DIVISION
333 NORTH RANCHO DRIVE
LAS VEGAS, NEVADA 89106

VOICE 702.229.6615
FAX 702.382-4341
TTY 702.386.9108
www.lasvegasnevada.gov

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING
CODE ENFORCEMENT DIVISION
333 N. Rancho Dr., 6th Floor
Las Vegas, NV 89106

Fax (702) 382-4341
TDD (702) 229-6615
E-mail us at codeenforcement@lasvegasnevada.gov

Request for a Waiver and/or Reduction of Civil Penalties Application

Date of Application: 04/15/2019

Address of Subject Property: 4995 Irene Avenue, Las Vegas, NV 89110

Closest Major Intersection: Bonanza Road and Nellis Avenue Parcel Number: 140-29-810-018

Applicant Information

Name: Bob Gronauer – Kaempfer Crowell Applicant type: __ Owner __ Purchaser __ Agent __ Other

Address: 1980 Festival Plaza Drive, Suite 650 City: Las Vegas State: NV Zip: 89135

Phone: (702) 792-7000 Fax: (702) 796-7181 E-mail: BGronauer@kcnvlaw.com

Property Owner Information

Name: ~~Elsa Polido and Xavier Ceballos, Xavier Ceballos and Javeth Barcarel~~ Xavier Ceballos

Address: 4995 Irene Avenue City: Las Vegas State: NV Zip: 89110

Phone: 702-835-3577 Fax: E-mail: ceballosxavi@hotmail.com

Describe the reason for the waiver/reduction request (Additional sheets may be attached if needed)

Prior owners blighted the property. Property has been rehabilitated and is a benefit to the neighborhood. Only asking removal of the daily civil penalty fees.

Describe the existing condition/situation of the subject property (Additional sheets may be attached if needed)

The subject property has gone through a complete remodel inside and out. The interior has all new paint, texture, granite counters, carpet, tile, fixtures, window coverings, closet doors, sinks and faucets. The exterior has all new landscaping front and rear, a new side fence and new paint. Additionally, the home has a detached guest house that has undergone a similar remodel.

Describe the immediate plans for the property, including any planned improvements (Additional sheets may be attached if needed)

To live in the home and raise our family.

Amount of City of Las Vegas Lien on Property: $ 24,564.00 Amount requested for waiver and/or reduction: $19,500.00

Property Owners Only

Please review and initial one

_____ I acknowledge that I am the property owner and understand that I must attend the waiver request hearing.

G.C I as the owner understand that I may only utilize representation by a lawyer if I am not in attendance of the hearing.
My legal representation will be Kaempfer Crowell law firm

_____ I am the legal property owner and am requesting a hearing by conference call.
The contact number to reach me is _____

Acknowledgements

Please Initial

G.C I acknowledge real estate personnel cannot represent my interest.

G.C I acknowledge that paid fees and fines will not be refunded.

Signature of Applicant: _____ Date: 5/11/19

Signature of Property Owner: (must be notarized): _____ Date: 5/11/19

STATE OF Nevada

COUNTY OF Clark

Subscribed and sworn to before me, a Notary Public, on this

11th day of May, 2019

Elizabeth Woodman

NOTARY PUBLIC in and for said County and State

ELIZABETH WOODMAN
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 5-16-2020
Certificate No: 00-62092-1

Submit application by fax to 702 382-4341 or mail to:

City of Las Vegas / Code Enforcement Division
333 N. Rancho Dr., 6th Floor
Las Vegas, NV 89106

For Office Use Only

Council Ward: W3 Case/File Number: 170018 Council Action date of Lien: _____

INDEMNITY AGREEMENT

This Indemnity Agreement (the "**Agreement**"), made and entered into this 11 day of May ~~day of April~~, 2019 by and between XAVIER CEBALLOS ("**Owner**"), and William Richardson ("**Richardson**") with reference to the following facts:

A. Owner is the owner of the home at 4995 IRENE AVE L.V. NV. 89110 Las Vegas, Nevada (the "**Property**"). Richardson was the prior owner of the Property and sold Property to Owner. At the time Richardson sold the Property to Owner, there were various City of Las Vegas liens and fines against the Property (the "**Liens**"). Per the sale, Richardson and the title company bonded around the Liens to protect Owner.

B. Richardson continues to believe the Liens should be reduced or removed by the City of Las Vegas, and wishes to continue to pursue a resolution regarding the Liens with the City of Las Vegas (a "**Resolution**"). Per City of Las Vegas requirements, Richardson needs the continuing support of Owner, as the current owner of the Property, to pursue the reduction or removal of the Liens. Owner also wants the Liens removed from the Property, and is willing to Richardson's efforts so long as Richardson indemnifies Owner against any cost or expense related to the Liens.

NOW, THEREFORE, in consideration of mutual promises, covenants and agreements herein contained, the parties promise, covenant and agree as follows:

1. Indemnity. **Subject to owner's support as set forth below, Richardson hereby agrees to indemnify, protect, defend, reimburse and hold Owner harmless as to all claims, liabilities, or expenses that Owner may incur as a result of the Liens**. It is the intent under this Agreement that Richardson shall pursue a Resolution related to the Liens, and then will pay off any remaining portions of the Liens at the conclusion of the Resolution process so as to remove all portions of the Liens from the Property, including any late fees or other assessments related to the Liens.

2. Support. Owner agrees to sign (i) any documents required by the City of Las Vegas, or (ii) any document requested by Richardson in his pursuit of a Resolution of the Liens. Owner agrees to confirm its support of Richardson in any communication with the City of Las Vegas or other persons related to the Liens. If required, Owner agrees to attend the City of Las Vegas hearing related to the Liens to show its support for the removal of the Liens from the Property.

IN WITNESS WHEREOF, the undersigned Parties hereto have executed this Agreement as of the date first written above.

"Owner" "Richardson"

Inst #: 20170413-0000456
Fees: $0.00
N/C Fee: $0.00
04/13/2017 09:03:53 AM
Receipt #: 3057181
Requestor:
CITY OF LAS VEGAS, BUILDING
Recorded By: RYUD Pgs: 1
DEBBIE CONWAY
CLARK COUNTY RECORDER

APN 140-29-810-018

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **JOSE LUIS & MAYRA I. MAGANA**
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: 140-29-810-018
Commonly known as: 4995 Irene Avenue
Legal Description: SUNLAND VILLAGE
PLAT BOOK 4 PAGE 91
LOT 1 BLOCK 3

On **January 17, 2017**, as provided in the Title 9, Chapter 4, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due and proper notification.

Expenses costs and fees ("Actual Cost") in the amount of **$5,064.00** were incurred by the City of Las Vegas in the above-referenced nuisance abatement procedure. Additionally, pursuant to Municipal Code 9.04.120, civil penalties in the amount of **$19,500.00** were approved against the property for violations(s) of Municipal Code 9.04.010. The Code Enforcement Hearing Officer, at a duly noticed hearing held on **March 29, 2017** ordered the above Actual Cost in the amount of **$5,064.00**, be immediately assessed against the property by means of this Lien of Assessment with the lien duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this Lien of Assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

NOTE: The Code Enforcement Hearing Officer ordered the above civil penalties in the amount of **$19,500.00** be assessed against the property by recording a Lien of Assessment on or after **September 16, 2017**.

Mary McElhone, Deputy City Clerk
495 South Main Street
Las Vegas, NV 89101

STATE OF NEVADA)
)
COUNTY OF CLARK)

Mary McElhone, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

Mary McElhone, Deputy City Clerk

Subscribed and sworn to before me this 10th day of April, 2017

Laura deArmond
NOTARY PUBLIC, in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LAURA DE ARMOND
Appt. No. 01-66412-1
My Appt. Expires Feb. 5, 2018

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF PLANNING
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case #170018

D (1)

Inst #: 20170921-0001941
Fees: $0.00
N/C Fee: $0.00
09/21/2017 11:54:00 AM
Receipt #: 3199282
Requestor:
CITY OF LAS VEGAS, BUILDING
Recorded By: WIHD Pgs: 1
DEBBIE CONWAY
CLARK COUNTY RECORDER

APN 140-29-810-018

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **JOSE LUIS & MAYRA I. MAGANA**
Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: 140-29-810-018
Commonly known as: 4995 Irene Avenue
Legal Description: SUNLAND VILLAGE
PLAT BOOK 4 PAGE 91
LOT 1 BLOCK 3

On **January 17, 2017**, as provided in the Title 9, Chapter 9, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Pursuant to Municipal Code 9.040.120, civil penalties in the amount of **$19,500.00** were levied against the property as for violation(s) of Municipal Code 9.04.010.

The Code Enforcement Hearing Officer, at a duly noticed hearing held on **March 29, 2017** ordered the above charges in the amount of **$19,500.00**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

Mary McElhone, Deputy City Clerk
495 South Main Street
Las Vegas, NV 89101

STATE OF NEVADA)
)
COUNTY OF CLARK)

Mary McElhone, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

Mary McElhone, Deputy City Clerk

Subscribed and sworn to before me this 10th day of April, 2017

Laura de Armond
NOTARY PUBLIC, in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LAURA DE ARMOND
Appt. No. 01-66412-1
My Appt. Expires Feb. 5, 2018

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF PLANNING
333 N RANCHO DRIVE, LAS VEGAS, NV 89106 Case #170018

City of Las Vegas
Department of Planning
Code Enforcement Case Report

Case #: CE-170018

4995 Irene Ave - Map # 02329-98 Parcel 14029810018

Owner Information:

Code Enforcement Internal Applicant

Zoning Information: R-E (RESIDENCE ESTATES)

Case Comments: Unknown house has No Trespassing signs on all windows Squatters living in back guest separated from main Kevin Kline 702 610 4862 kevkline12 yahoo com

Case Assigned To: ELIZABETH A BYRNE (40) **Follow Up Inspection Date:** 1/18/2017

Date Case Opened: 8/24/2016 **Ward:** 3 **Source:** CEC

Date Case Resolved: 1/17/2017 **Disposition:** Abate

Property Info / Status: **Vacant:** U **Foreclosure:** N **Secure:** N

Violations:

AB-006	16.08.010 UDB SEC 403	8/25/2016	Complied
Location:	Property to include rear guest house		
Comments:	Secure all structures to City of Las Vegas specifications.		
AH-002	9.04.010 ATTRACTIVE NUISANCE	8/25/2016	Complied
Location:	Property		
Comments:	Secure all entry points to the property including gates, fences, doors and windows to deter criminal activity.		
AN-003	9.04.010 (4) REFUSE & WASTE	8/25/2016	Complied
Location:	Property		
Comments:	Remove all refuse and waste from all areas of property. Maintain at all times.		

Chronology of Events:

August 25, 2016 **Correspondence Email**

40 - I emailed Safeguard, based on notes from past case in June, 2015, requesting they contact me if they are servicing this property.

August 25, 2016 **Lexis Nexis Report**

Advanced Person and RealTime phones search x2-results found-referred to CE officer#40

August 25, 2016 **Insp# : 584301 (Fail)**

40 - I inspected and found the board removed from the rear guest house, several shopping carts full of debris outside the guest house and other debris outside the guest house. The rear shed is unsecure also. Property shows owner occupied on the assessor's page. Moving to NNO based on past case history.

August 29, 2016 **Officer Note**

40 - I have researched every avenue to reach the owners of the property without any success. Based on case history and the proximity of the unsecure house to a day care center that is adjoining the property, I a m moving to a NNO.

City of Las Vegas
Department of Planning
Code Enforcement Case Report

Chronology of Events:	
August 29, 2016	**Officer Note** 40 - Gave case file to 21 for NNO approval
August 29, 2016	**Correspondence Email** 40 - I received a reply from Safeguard advising that they are no longer servicing this property.
August 29, 2016	**Phone Call** 40 - I called 702-457-4413, a number I obtained through Lexus and it went to a disconnect recording.
August 29, 2016	**Phone Call** 40 - I called 702-278-4069, a number obtained from Lexus and it went to a busy signal. I called several times with the same result.
August 29, 2016	**Phone Call** 40 - I called 702-754-8727 and reached a recording advising the person can not be reached. I was unable to leave a message.
September 6, 2016	**Notice & Order Processing** FILE TO 40 FOR POSTING
September 7, 2016	**Insp# : 584339 (PartPassed)** 40 - I posted the nuisance notice and order at the property. Reinspect Sept 20th.
September 20, 2016	**Insp# : 585342 (Fail)** 40 - I inspected and found no improvement at the property. There is now an entrance to the rear yard off of the east side, back corner of the rear yard. NNO is in progress. I took photos. Reinspect Oct 4th.
September 22, 2016	**Officer Note** 40 - I checked the CC Assessor's page and there has been no change in ownership.
September 22, 2016	**Bid Request By Officer** 40 - Submitted bid sheet to 21.
September 26, 2016	**Bid Preperation** Bid Preparation - awaiting fax receipt
September 26, 2016	**Bid Request Sent** RFQ sent to contractors due 9-30-16 by 5:00 pm
October 4, 2016	**Bid Received** Scanned & recorded bids received
October 4, 2016	**Adminstrative** Bid approval given to #21
October 4, 2016	**10 Day Notice Processing** 10 Day notice before abatement sent, file given to #40 for posting.
October 5, 2016	**Insp# : 586366 (Post)** 40 - I posted the Affidavit of Posting at the property and took a photo. All violations remain. Reinspect Oct 17th

City of Las Vegas
Department of Planning
Code Enforcement Case Report

Chronology of Events:	
October 17, 2016	**Insp# : 587666 (Fail)** 40 - I inspected and found the gates; rear sheds are unsecure. There is a missing section of block wall at the rear and a missing section of wrought iron fencing on the west side of the property. Debris and shopping cart indicative of homeless living out of the sheds. I took photos. Will prepare a bid sheet and move forward with the abatement. Reinspect by Oct 31st.
November 3, 2016	**Officer Note** 40 - I checked the CC Assessor's page and found no change in ownership.
November 3, 2016	**Officer Note** 40 - Case file to 21 for abatement. PRE abatement photos have been uploaded to EB and copies are in the case file.
November 3, 2016	**Insp# : 588559 (Fail)** 40 - I inspected and found no change/improvement. I took photos. Submitting case file to 21 for abatement. Reinspect by Nov 17th.
November 7, 2016	**Bid Request By Officer** 21)refer file to GF
November 8, 2016	**Bid Preperation** Bid Preparation- Total Board up- - awaiting fax receipt
November 8, 2016	**Bid Request Sent** RFQ sent to contractors due 11-14-16 by 5:00 pm
November 16, 2016	**Bid Received** Scanned & recorded - bids received
November 16, 2016	**Adminstrative** Bid approval given to #21
November 16, 2016	**10 Day Notice Processing** 10 Day notice before abatement sent, file given to #40 for posting.
November 17, 2016	**Insp# : 590109 (PartPassed)** 40 - I posted the 10 day at the property and took a photo. Reinspect Dec 6th
December 13, 2016	**Proceed With Abatement** 21)refer to office staff LD to proceed.
December 13, 2016	**Research** 40 - I researched the ownership on CC Assessor's page and Jose and Mayra Magana still show as the owners of the property. Moving forward with abatement.
December 13, 2016	**Officer Note** 40 - Case file to 21 requesting we move forward with the abatement.
December 13, 2016	**Insp# : 591443 (Fail)** 40 - I inspected and found no change/improvement. I took photos. Moving forward with abatement. Case file to 21 today. Reinspect by Dec 27th.
December 14, 2016	**Adminstrative**

City of Las Vegas
Department of Planning
Code Enforcement Case Report

Chronology of Events:

	Ld) PO requested
December 21, 2016	**Video Request**
	Ld) PO 368420 approved, sent before abatement video request to #21
December 27, 2016	**Pre-Abatement Video**
	40 - PRE abatement photos copied to F drive abatement folder.
December 27, 2016	**Research**
	40 - I checked the CC Assessor's page and the ownership is the same.
December 27, 2016	**Insp# : 593145 (Fail)**
	40- I inspected and found no improvement. I took PRE abatement photos. Failing inspection. Reinspect Jan 5th.
January 17, 2017	**Video Request**
	Ld) received invoice & sent after abatement video request to #21
January 17, 2017	**Insp# : 594183 (Passed)**
	40 - I inspected and found the property to be secure, all gates and access points have been locked and/or boarded. I took POST photos. I was not able to access the rear yard due to the gates being secured. Will download photos to the F drive. Case closed.
March 16, 2017	**Officer Note**
	41)Posted Code Enforcement Hearing Notice.

Fee Information:

Fee Name	Fee Added	Status	Liened	Fee Amount	Fee Paid	Fee Due
Residential Inspection Fee	9/20/2016	U	Y	$120.00	$0.00	$120.00
Residential Reinspection Fee	10/17/2016	U	Y	$180.00	$0.00	$180.00
First Residential Civil Penalty	10/17/2016	U	Y	$150.00	$0.00	$150.00
Residential Reinspection Fee	11/3/2016	U	Y	$180.00	$0.00	$180.00
Second Residential Civil Penalty	11/3/2016	U	Y	$300.00	$0.00	$300.00
Late Fee	11/5/2016	U	Y	$12.00	$0.00	$12.00
Late Fee	12/2/2016	U	Y	$18.00	$0.00	$18.00
Residential Reinspection Fee	12/13/2016	U	Y	$180.00	$0.00	$180.00
Third Residential Civil Penalty	12/13/2016	U	Y	$500.00	$0.00	$500.00
Late Fee	12/19/2016	U	Y	$18.00	$0.00	$18.00
Residential Reinspection Fee	12/27/2016	U	Y	$180.00	$0.00	$180.00
Fourth Residential Civil Penalty	12/27/2016	U	Y	$500.00	$0.00	$500.00
Nuisance Abatement Fee	1/5/2017	U	Y	$3,600.00	$0.00	$3,600.00
Administrative	1/5/2017	U	Y	$540.00	$0.00	$540.00
Late Fee	1/28/2017	U	Y	$18.00	$0.00	$18.00
Late Fee	2/11/2017	U	Y	$18.00	$0.00	$18.00

City of Las Vegas
Department of Planning
Code Enforcement Case Report

Residential Daily Civil Penalty Fee	3/31/2017	U	Y	$18,050.00	$0.00	$18,050.00
			Totals	$24,564.00	$0.00	$24,564.00

4995 Irene Ave.
Property Information

- Case was initiated on 8/24/2016
- Notice and Order Issued to Jose Luis & Mayra Magana on 10/5/2016
- Abatement Completed on 1/5/2017. Abatement included securing of all open doors and windows, removal of high weeds, refuse and waste, graffiti and dilapidated shed.
- Abatement and Civil Penalties liens were approved 3/29/2017.
  - Out of pocket Costs - $5,064 Recorded on 4/13/2017
  - Civil Penalties - $19,500 Recorded on 9/21/2017
- William Richardson purchased property on 8/28/2017 for $205,700
- Property was sold to current owner on 5/1/2018 for $365,000.
- Code Enforcement received a waiver request on 4/25/2019
- Funds from sale have been sitting in escrow.

Submitted At Meeting
Date 7/17/19 Item 74

4995 Irene Ave.
Request of Waiver



4995 Irene Ave.
Request of Waiver



4995 Irene Ave.
Request of Waiver



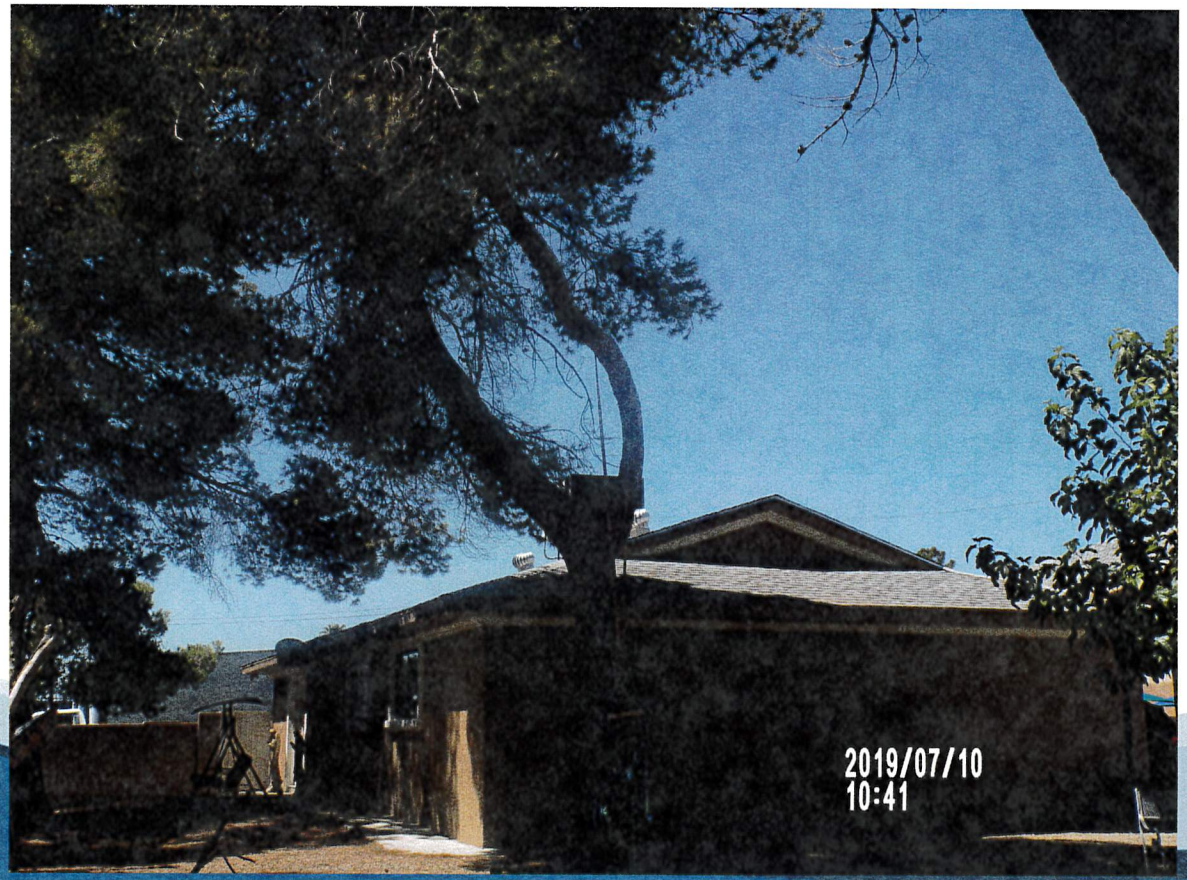
4995 Irene Ave.
Request of Waiver



4995 Irene Ave.
Request of Waiver



4995 Irene Ave.
Request of Waiver



AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
75

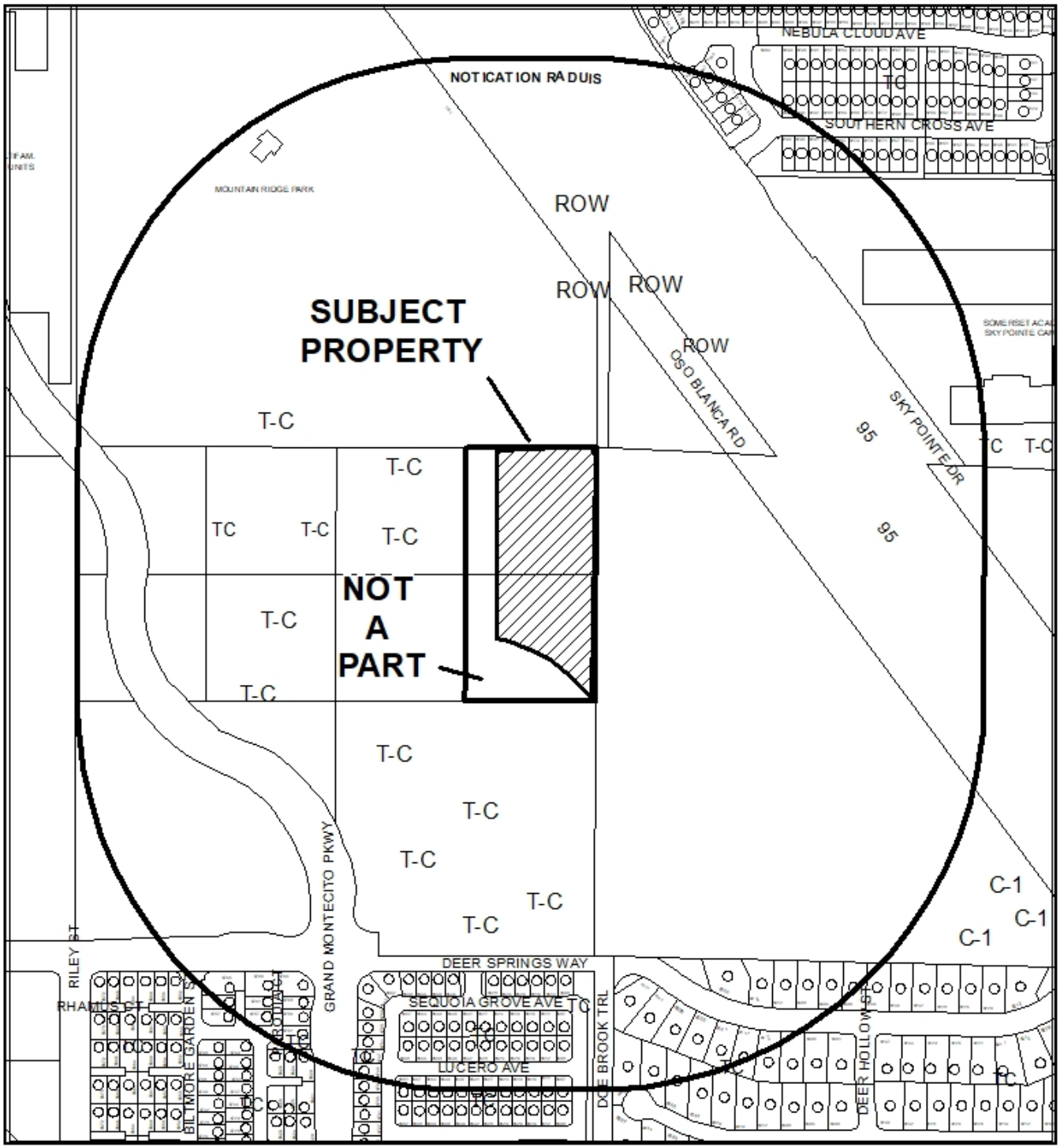
DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
MOD-76339 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT/OWNER: KB HOME NV ACQUISITION, LLC - For possible action on a request for a Major Modification of the Town Center Land Use Plan FROM: MC-TC (MONTECITO - TOWN CENTER) TO: UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) on a 2.96 acre portion of 5.19 acres generally located east of Grand Montecito Parkway, on the west side of Doe Brook Trail alignment (Portion of APNs 125-20-603-002 and 004), Ward 6 (Fiore) [PRJ-76273]. The Planning Commission (5-0 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	1	Planning Commission Mtg.	3
City Council Meeting	0	City Council Meeting	2

RECOMMENDATION:
The Planning Commission (5-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report - MOD-76339 and VAC-76340 [PRJ-76273]
3. Supporting Documentation - MOD-76339 and VAC-76340 [PRJ-76273]
4. Photo(s) - MOD-76339 and VAC-76340 [PRJ-76273]
5. Justification Letter - MOD-76339 and VAC-76340 [PRJ-76273]
6. Support Postcards
7. Backup Submitted at the June 11, 2019 Planning Commission Meeting



0 295 590 Feet

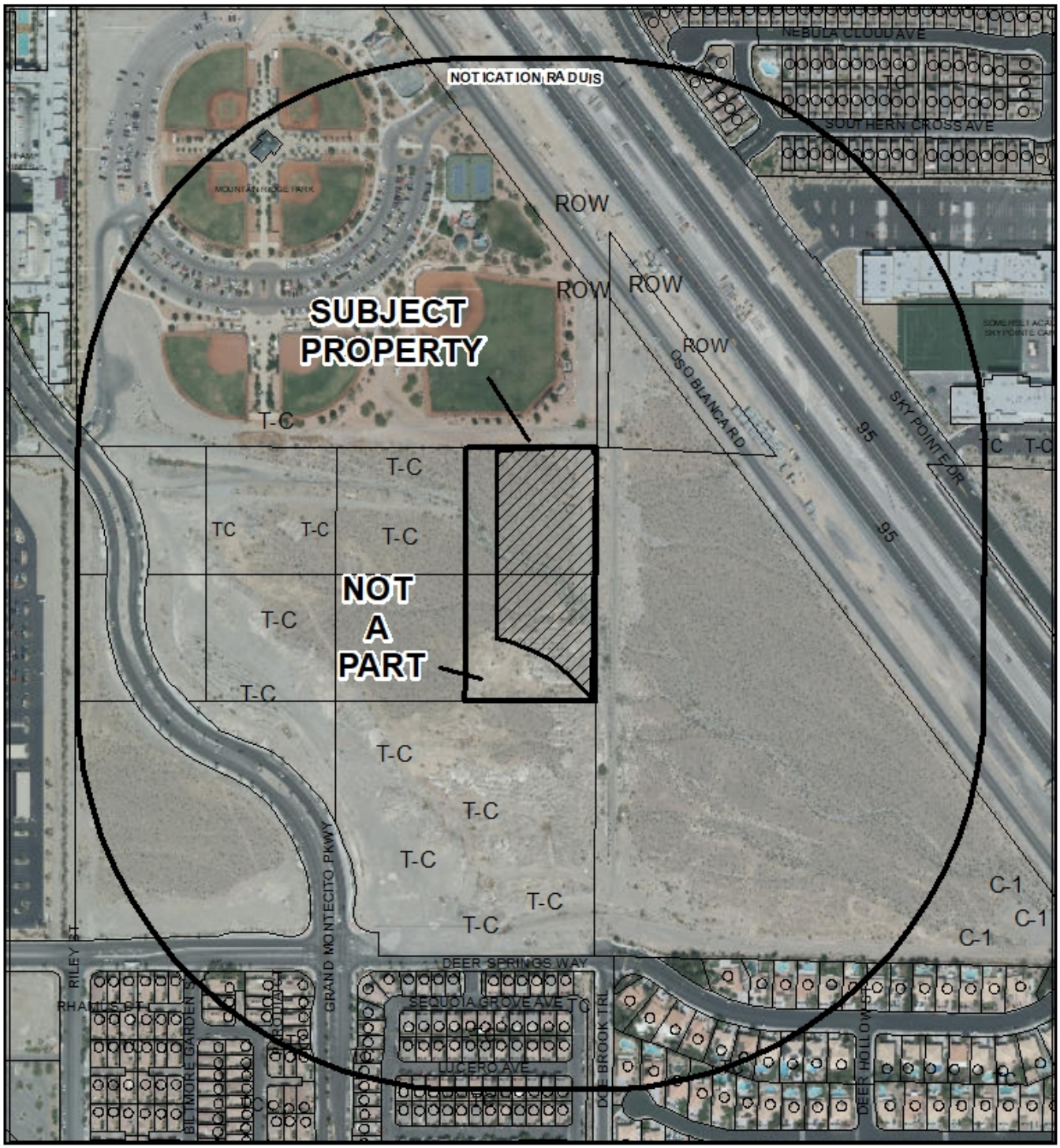
CASE: **MOD-76339 (PRJ-76273)**

RADIUS: 1000 FEET

GENERAL PLAN OF SUBJECT PROPERTY: MC-TC (MONTECITO - TOWN CENTER)

PROPOSED GENERAL PLAN OF SUBJECT PROPERTY: UC-TC (URBAN CENTER MIXED USE - TOWN CENTER)

N



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CASE: **MOD-76339 (PRJ-76273)**

RADIUS: 1000 FEET

GENERAL PLAN OF SUBJECT PROPERTY: MC-TC (MONTECITO - TOWN CENTER)

PROPOSED GENERAL PLAN OF SUBJECT PROPERTY: UC-TC (URBAN CENTER MIXED USE - TOWN CENTER)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: KB HOME NV ACQUISITION, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
MOD-76339	Staff recommends APPROVAL.	
VAC-76340	Staff recommends APPROVAL, subject to conditions:	MOD-76339

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 37 - MOD-76339
40 - VAC-76340

NOTICES MAILED 124 - MOD-76339 (By City Clerk)
6 - VAC-76340 (By City Clerk)

PROTESTS 0 - MOD-76339
0 - VAC-76340

APPROVALS 0 - MOD-76339
0 - VAC-76340

JB

**** CONDITIONS ****

MOD-76339 CONDITIONS

Planning

1. Conformance to the conditions of approval for Development Agreement (DA-0002-01), Major Modification (MOD-11449), General Plan Amendment (GPA-74633), Variance (VAR-75154), Special Use Permit (SUP-74637), Site Development Plan Review (SDR-74638) and Tentative Map (TMP-74639).

VAC-76340 CONDITIONS

1. The limits of this Petition of Vacation shall be as described in the submitted legal exhibits date stamped 4/22/2019.

2. Per Condition #9 of TMP-74689, the Order of Vacation shall record immediately prior to and concurrently with future Final Maps for the Montecito 60 subdivision.

3. The Petition of Vacation shall be revised to retain Public Sewer Easements where needed based on approved construction drawings.

4. Civil improvement drawings for this site shall be approved prior to the recordation of the Order of Vacation. Plans may be approved and permits issued prior to the recordation of the vacation as long as no private improvements are constructed in the public right-of-way without an authorized License Agreement.

5. An alternative public drainage easement acceptable to the Department of Public Works shall be in place prior to recordation of this Petition of Vacation unless otherwise allowed by the Flood Control Section.

6. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

7. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.

8. All development shall be in conformance with code requirements and design standards of all City Departments.

9. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, the conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

10. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Major Modification to amend a portion of the Town Center Land Use Plan from MC-TC (Montecito – Town Center) to UC-TC (Urban Center Mixed Use – Town Center) on a 2.96-acre portion of 5.19 acres generally located east of Grand Montecito Parkway, on the west side of the Doe Brook Trail alignment. Also, the applicant has requested to vacate public right-of-way, public drainage and utility easements generally located in the surrounding area.

ISSUES

- Pursuant to Condition of Approval #4 associated with approved Tentative Map (TMP-74639), the applicant has proposed a Major Modification (MOD-76339) to modify a 2.96-acre portion of 5.19 acres generally located east of Grand Montecito Parkway, on the west side of Doe Brook Trail alignment from MC-TC (Montecito – Town Center) to UC-TC (Urban Center Mixed Use – Town Center) Special Land Use designation. Staff supports this request.
- The applicant has requested a Petition to Vacate (VAC-76340) public right-of-way, public drainage, public utility and patent easements generally located east of Grand Montecito Parkway, on the west side of Oso Blanca Road. Staff supports this request.

ANALYSIS

On January 16, 2019 the City Council approved Tentative Map (TMP-74639) for a proposed 303-lot single family residential subdivision and two multi-family residential developments with associated Waivers on 60.39 acres at the northwest and northeast corners of Deer Springs Way and Grand Montecito Parkway.

Unit 4 of approved Tentative Map (TMP-74639) encompasses the far northeastern portion of the overall site and is programmed for a multi-family (apartment) complex containing 306 units. The units will be spread throughout the 13.29-acre site within 13 three-story buildings. The complex will also provide a pool, courtyard, and clubhouse/community center. The majority of this complex is within the UC-TC (Urban Center Mixed Use – Town Center) portion of the site, but a portion of the site includes a portion of the MC-TC (Montecito – Town Center) Special Land Use designation. A Condition of Approval was added to Tentative Map (TMP-74639) which required a Major Modification in order to create a single land use.

Condition of Approval #4 of approved Tentative Map (TMP-74639) stated, "Prior to the submittal of any Final Map, the applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to create a separate parcel from APNs 125-20-603-002 and 004. Subsequent to that new parcel's creation the applicant shall modify the existing land use district as depicted on Map 4 Town Center Land Use to that of the district found on APN 125-21-201-001 for the newly created parcel. The applicant shall file a Major Modification with the Department in accordance with the procedures and standards applicable to a rezoning application as set forth in LVMC 19.16.090." The applicant has requested a Major Modification (MOD-76339) from MC-TC (Montecito – Town Center) to UC-TC (Urban Center Mixed Use – Town Center) on the subject site in order to comply with this condition. On April 18th, 2019 the Department of Planning accepted a Final Map (FMP-76053) for processing (Montecito 60 Multi-Family). The map has not yet been released for recordation. Staff has determined that the proposed Major Modification is harmonious with the surrounding area and consistent with the previously approved Tentative Map (TMP-74639).

In addition, the applicant has requested a Petition to Vacate (VAC-76340) public right-of-way, public drainage, public utility and patent easements generally located east of Grand Montecito Parkway, on the west side of Oso Blanca Road. Public Works offers the following comments:

A. Does this vacation request result in uniform or non-uniform right-of-way widths? N/A as it is unused rights-of-way and easements.

B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? No as it is mostly unused and will be incorporated into the proposed subdivision.

C. Does it appear that the vacation request involves only excess right-of-way? No, it is for rights-of-way not needed for the development of a proposed subdivision.

D. Does this vacation request coincide with development plans of the adjacent parcels? Yes, The Montecito 60 project, TMP-74639.

E. Does this vacation request eliminate public street access to any abutting parcel? No.

F. Does this vacation request result in a conflict with any existing City requirements? No.

G. Does the Department of Public Works have an objection to this vacation request? No.

Staff has determined the proposed Major Modification and Petition to Vacate public right-of-way, public drainage, public utility and patent easements are compatible with the existing developments in the surrounding area; therefore, staff recommends approval of these two applications.

FINDINGS – MAJOR MODIFICATION (MOD-76339)

The proposed land use modification from MC-TC (Montecito – Town Center) to UC-TC (Urban Center Mixed Use – Town Center), is in compliance with condition #4 of approved Tentative Map (TMP-74639); therefore, staff recommends approval of this Major Modification request.

FINDINGS (VAC-76340)

The Department of Public Works and Department of Planning are not opposed to this Petition of Vacation as it is unused rights-of-way and easements. Furthermore, staff has determined that the proposed Petition of Vacation is harmonious with the surrounding area and consistent with the previously approved Tentative Map (TMP-74639); therefore, staff recommends approval with conditions.

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
12/07/98	The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) of a 1,468-acre portion of the Northwest, including the subject site. The Planning Commission and staff recommended approval.
11/07/01	The City Council approved the Town Center Development Standards Manual, which designated the subject site as MS-TC (Main Street Mixed Use – Town Center).
03/06/02	The City Council approved a Development Agreement (DA-0002-01) between the City of Las Vegas and Montecito Town Center, LLC to establish standards for the 172-acre area within the Centennial Hills Town Center known as Montecito Town Center. The Planning Commission and staff recommended approval.
07/12/06	The City Council approved a request for a Major Modification (MOD-11449) of the Town Center Development Plan to change the land use designation from GC-TC (General Commercial) to UC-TC (Urban Center Mixed Use) on 49.82 acres adjacent to the northeast corner of Deer Springs Way and Grand Montecito Parkway. Note: The application has been amended to change APN 125-20-201-001 to APN 125-21-201-001 and to amend total acreage to 24.91 acres

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
11/13/18	Per the applicant's request the Planning Commission allowed the withdrawal of a request for a Major Modification (MOD-74634) of the Town Center Land Use Plan to amend the Special Land Use Designation from MC-TC (Montecito - Town Center) and UC-TC (Urban Center - Town Center) to M-TC (Medium Density Residential - Town Center) on 52.97 acres at the northeast corner of Deer Springs Way and Grand Montecito Parkway.
	Per the applicant's request the a request for a Waiver (WVR-74635) was pulled to allow private streets to terminate in dead-end stubs where cul-de-sac or hammerheads are required on 52.97 acres at the northeast corner of Deer Springs Way and Grand Montecito Parkway.
	Per the applicant's request the a request for a Waiver (WVR-74636) was pulled to allow 5.73 acres of open space where 6.35 acres is the minimum required on 52.97 acres at the northeast corner of Deer Springs Way and Grand Montecito Parkway.
01/16/19	The City Council approved a request for a General Plan Amendment (GPA-74633) to amend the Trails Element of the Las Vegas 2020 Master Plan and all related maps on 60.39 acres at the northwest and northeast corners of Deer Springs Way and Grand Montecito Parkway. The Planning Commission and staff recommended approval of the request.
	The City Council approved a request for a Special Use Permit (SUP-74637) for a proposed private street without a gate and multiple gated communities with private streets within town center at the northwest and northeast corners of Deer Springs Way and Grand Montecito Parkway. The Planning Commission recommended approval and staff recommended denial of the request.
	The City Council approved a request for a Site Development Plan Review (SDR-74638) for a proposed 303-lot single family detached residential subdivision and two, multi-family residential developments, consisting of three-story buildings with a total unit count of 491 apartments on 60.39 acres at the northwest and northeast corners of Deer Springs Way and Grand Montecito Parkway. The Planning Commission recommended approval and staff recommended denial of the request.
	The City Council approved a request for a Tentative Map (TMP-74639) for a proposed 303-lot single family residential subdivision and two, 491-unit multi-family residential developments with a waiver to allow private streets to terminate in dead-end stubs and modified hammerheads where cul-de-sac or hammerheads are required on 60.39 acres at the northwest and northeast corners of Deer Springs Way and Grand Montecito Parkway. The Planning Commission recommended approval and staff recommended denial of the request.

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
01/16/19	The City Council approved a request for a Variance (VAR-75154) to allow 641 parking spaces where 811 is the minimum required for two multi-family developments on 60.39 acres at the northwest and northeast corners of Deer Springs Way and Grand Montecito Parkway. The Planning Commission recommended approval and staff recommended denial of the request.
04/18/19	The Department of Planning accepted a Final Map (FMP-76053) for processing (Montecito 60 Multi-Family). The map has not yet been released for recordation.
06/11/19	The Planning Commission unanimously voted to recommend APPROVAL on the following requests: • Major Modification of the Town Center Land Use Plan (MOD-76339) FROM: MC-TC (MONTECITO - TOWN CENTER) TO: UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) on a 2.96 acre portion of 5.19 acres generally located east of Grand Montecito Parkway, on the west side of Doe Brook Trail alignment (Portion of APNs 125-20-603-002 and 004), Ward 6 (Fiore) [PRJ-76273]. • Vacation (VAC-76340) to Vacate public right-of-way, public drainage, public utility and patent easements generally located east of Grand Montecito Parkway, on the west side of Oso Blanca Road (APNs Multiple), Ward 6 (Fiore) [PRJ-76273].

Most Recent Change of Ownership	
02/04/19	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There are no related building permits or business licenses for the subject site.

Pre-Application Meeting	
04/08/19	A pre-application meeting was conducted via telephone with the applicant to go over the application materials and submittal requirements for a Major Modification and Petition of Vacation for an approved single-family and multi-family residential development.

Neighborhood Meeting
A Neighborhood meeting was not required, nor was one held.

Field Check	
05/02/19	Staff observed an undeveloped site with natural desert vegetation.

Details of Application Request	
Site Area	
Net Acres	2.96 acre portion of 5.19 acres

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	MC-TC (Montecito – Town Center) UC-TC (Urban Center Mixed-Use – Town Center)	T-C (Town Center)
North	City Park	PF-TC (Public Facilities – Town Center)	T-C (Town Center)
South	Single Family, Detached	MC-TC (Montecito – Town Center) L-TC (Low Residential – Town Center)	T-C (Town Center)
East	Oso Blanca Road	ROW (Right-of-Way)	ROW (Right-of-Way)
West	Hospital	MC-TC (Montecito – Town Center)	T-C (Town Center)

Master and Neighborhood Plan Areas	***Compliance***
Town Center Master Plan Area	N/A
Special Area and Overlay Districts	***Compliance***
T-C (Town Center) District	Y
Other Plans or Special Requirements	***Compliance***
Trails	Y
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	Y
Project of Regional Significance	Y

JB

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) Major Modification

Project Address (Location) Grand Montecito / Deer Springs

Project Name Montecito 60 **Proposed Use** Residential Subdivision

Assessor's Parcel #(s) 125-20-603-002 & 004 **Ward #** 6

General Plan: Existing TC Proposed NA **Zoning:** Existing UC-TC MC-TC Proposed M-TC

Additional Information Additional APN's 125-20-602-005; -002, -005; -010

Property Owner KB Home NV Acquisition, LLC Contact Christa Bilbrey

Address 5795 W. Badura Ave., Suite 180 City Las Vegas State NV Zip 89118

E-mail cbilbrey@kbhome.com Phone 702-266-8466

Applicant KB Home Contact Christa Bilbrey

Address 5795 W. Badura Ave., Suite 180 City Las Vegas State NV Zip 89118

E-mail cbilbrey@kbhome.com Phone 702-266-8466

Representative Slater Hanifan Group Contact Roxanne Leigh

Address 5740 S. Arville St., Suite 216 City Las Vegas State NV Zip 89118

E-mail rleigh@shg-inc.com Phone 702-284-5300

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company? ☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official _____ **Partner(s)** _____

Partner(s) _____

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature _____

An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name Brian Kunec, President, KB Home Las Vegas Inc.

Subscribed and sworn before me County of Clark, State of Nevada by Brian Kunec on

This 15th day of February, 20 19.

C. Bilbrey

Notary Public in and for said County and State

PRJ-76278
04/24/19

C. BILBREY
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 02-29-2020
Certificate No: 99-56803-1

KB HOME

MONTECITO 60

LAND USE MAP

CITY OF LAS VEGAS, NV

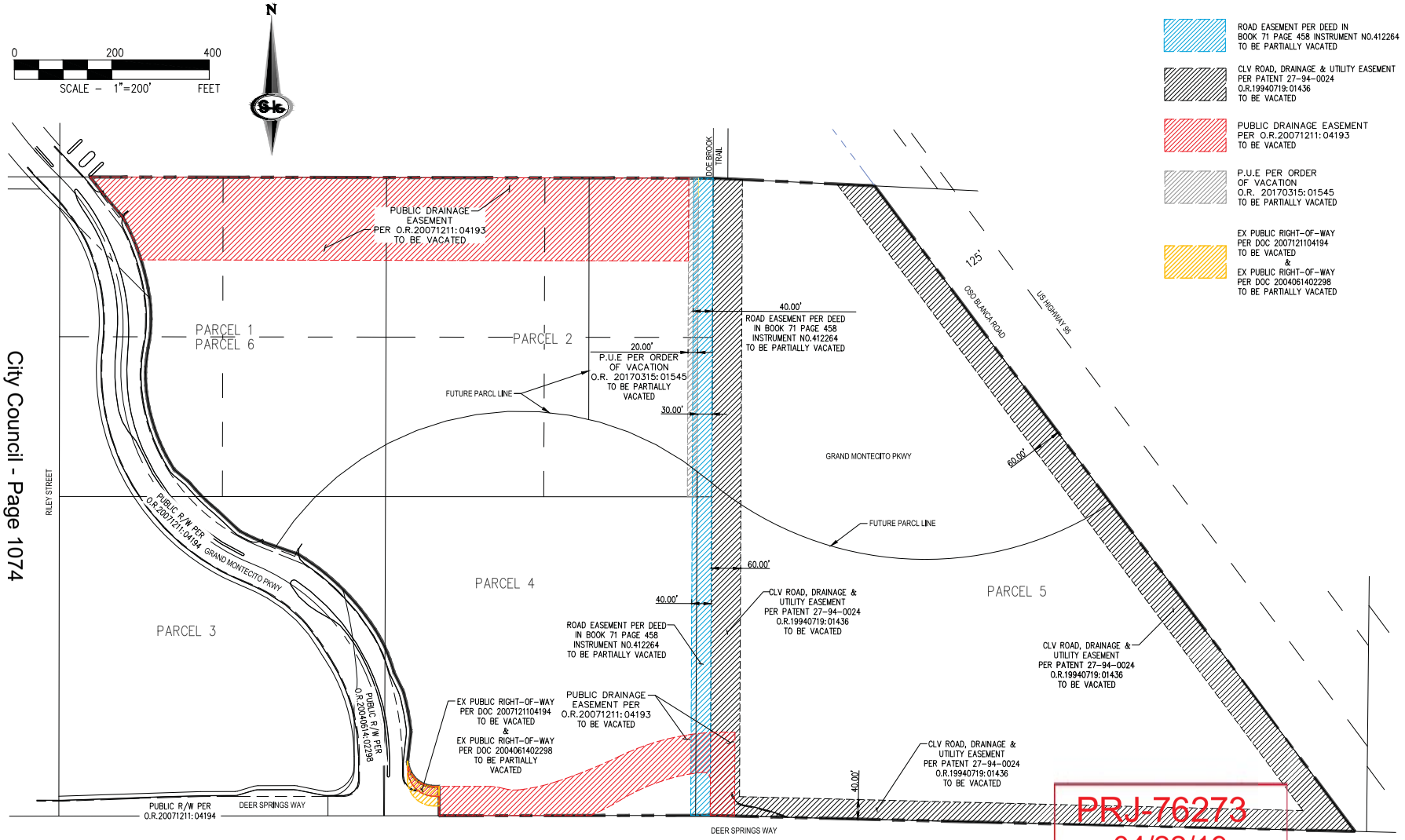
NO.	DESCRIPTION	DATE	BY	APP. DATE	APP.

SLATER HANIFAN GROUP
5740 S. ARVILLE STREET #216, LAS VEGAS, NV 89118
PHONE (702) 284-5300 FAX (702) 284-5399
a Westwood team

DATE: 4/22/19
DRAFTER: HN
DESIGNER: HN
CHECKED: MAK
PROJECT NO. KBH1805-000

EX-1
SHEET 1 OF 1

I:\KBH1805-000 montecito 60\dwg\entitlements\190422 montecito 60 land use map.dwg 4/16/2019 2:55 PM Matt Key



City Council - Page 1074

PRJ-76273
04/22/19

SLATER HANIFAN GROUP
CONSULTING ENGINEERS & PLANNERS
5740 S. ARVILLE STREET #216, LAS VEGAS, NV 89118
PHONE (702) 2944-5300 FAX (702) 2944-5399

NO.	DESCRIPTION	DATE	BY	APP. DATE	APP

KB HOME

MONTECITO 60

CITY OF LAS VEGAS PUBLIC VACATIONS EXHIBIT

DATE: 4/22/19
DRAFTER: AM
DESIGNER: HN
CHECKED: MAK
PROJECT NO. KBH1805-000

EXH-1
SHEET 1 OF 1

j:\kbh1805-000 montecito 60\dwg\entitlements\vs\190418 montecito 60 clv public vacations & private relings exhibits.dwg 4/22/2019 10:17 AM Andy Madrid

ALTA/NSPS LAND TITLE SURVEY

A PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 20, TOGETHER WITH A PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 21, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

SCHEDULE B – SECTION TWO EASEMENTS AND EXCEPTIONS

THE EASEMENTS AND OTHER RECORDED DATA SHOWN HEREON, WERE OBTAINED FROM FIRST AMERICAN TITLE COMPANY COMMITMENT FOR TITLE INSURANCE No. NSC-914875-HHLV DATED JUNE 22, 2018. THE SURVEYOR HAS NOT MADE AN INDEPENDENT TITLE SEARCH AND HAS RELIED ON THESE SUPPLIED DOCUMENTS AND SPECIFICALLY DISCLAIMS ANY ITEMS NOT SHOWN WHICH MAY BE OF RECORD OR NOT OF RECORD THAT MAY AFFECT THE PROPERTY SHOWN ON THIS SURVEY.

⬡ DENOTES PLOTTABLE EASEMENTS AND EXCEPTIONS

18. RESERVATIONS AND PROVISIONS AS CONTAINED IN THE PATENT FROM THE STATE OF NEVADA, RECORDED DECEMBER 17, 1928, IN BOOK 13 OF DEEDS, PAGE 362, AS INSTRUMENT NO. 29660.
AFFECTS PARCELS 1, 2, 3, 4 AND 6 **(NO EASEMENTS, RESERVES MINERAL RIGHTS)**

⬡ 19. ALL OF THE OIL, GAS, MINERALS AND MINERAL SUBSTANCES OF EVERY SORT AND DESCRIPTION UNDERLYING THE SURFACE OF THE LAND AS RESERVED IN A DOCUMENT RECORDED AUGUST 26, 1953 IN BOOK 71 OF DEEDS, PAGE 458 AS INSTRUMENT NO. 412264 AND A RESERVATION OF ROADWAY EASEMENT OVER THE EAST 40 FEET OF PARCEL 4 AS CONTAINED IN THE ABOVE INSTRUMENT.
AFFECTS PARCELS 1, 2, 3, 4 AND 6

20. PROVISIONS, RECITED ON THE DEDICATION STATEMENT ON THE PARCEL MAP RECORDED DECEMBER 04, 1984 IN BOOK 2031 AS INSTRUMENT NO. 1990092 OF OFFICIAL RECORDS, IN FILE 45, PAGE 15 OF PARCEL MAPS.
(AFFECTS PARCEL 2) **(PUBLIC STREETS DEDICATED PER THIS MAP HAVE BEEN VACATED)**

21. EASEMENTS AS SHOWN AND/OR DEDICATED UPON THE PARCEL MAP, RECORDED IN FILE 45, PAGE 15 OF PARCEL MAPS.
(AFFECTS PARCEL 2) **(PUBLIC STREETS DEDICATED PER THIS MAP HAVE BEEN VACATED)**

22. PROVISIONS, RECITED ON THE DEDICATION STATEMENT ON THE PARCEL MAP RECORDED DECEMBER 04, 1984 IN BOOK 2031 AS INSTRUMENT NO. 1990093 OF OFFICIAL RECORDS, IN FILE 45, PAGE 16 OF PARCEL MAPS.
(AFFECTS PARCELS 1 AND 6) **(PUBLIC STREETS DEDICATED PER THIS MAP HAVE BEEN VACATED)**

23. EASEMENTS AS SHOWN AND/OR DEDICATED UPON THE PARCEL MAP, RECORDED IN FILE 45, PAGE 16 OF PARCEL MAPS.
(AFFECTS PARCELS 1 AND 6) **(PUBLIC STREETS DEDICATED PER THIS MAP HAVE BEEN VACATED)**

⬡ 24. AN EASEMENT AND RIGHT-OF-WAY FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, RENEWAL, RECONSTRUCTION, AND REMOVAL OF PIPELINES FOR CONDUCTING WATER WITH THE RIGHT OF INGRESS AND EGRESS, AS CONVEYED TO LAS VEGAS VALLEY WATER DISTRICT, A QUASI-MUNICIPAL CORPORATION, BY AN INSTRUMENT RECORDED SEPTEMBER 29, 1993, IN BOOK 930929 AS INSTRUMENT NO. 01372 OF OFFICIAL RECORDS, OVER A PORTION OF THE LAND.
(AFFECTS PARCEL 4)

25. COVENANTS, CONDITIONS, AND RESTRICTIONS IN A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LAS VEGAS AND MONTECITO TOWN CENTER, LLC FOR THE MONTECITO TOWN CENTER RECORDED MAY 1, 2002, IN BOOK 20020501 AS INSTRUMENT NO. 02542 OF OFFICIAL RECORDS.
(AFFECTS PARCELS 1, 2, 3, 4 AND 6) **(NO PLOTTABLE EASEMENTS)**

⬡ 26. AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AUGUST 22, 2002 IN BOOK 20020822 AS INSTRUMENT NO. 00707 OF OFFICIAL RECORDS.
DOCUMENT ALSO RECORDED SEPTEMBER 16, 2002 IN BOOK 20020916 AS INSTRUMENT NO. 00758 OF OFFICIAL RECORDS.
(AFFECTS PARCELS 3 AND 4)

⬡ 27. AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED SEPTEMBER 25, 2002 IN BOOK 20020925 AS INSTRUMENT NO. 00686 OF OFFICIAL RECORDS.
(AFFECTS PARCELS 3 AND 4)

⬡ 28. COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS IN AN EASEMENT AND RIGHT-OF-WAY RECORDED MARCH 18, 2003, IN BOOK 20030318 AS INSTRUMENT NO. 00918 OF OFFICIAL RECORDS.
(AFFECTS PARCELS 3 AND 4)

⬡ 29. ANY PRIVATE EASEMENTS OR LESSER RIGHTS TOGETHER WITH THE RIGHTS, IF ANY, OF THE CITY OF LAS VEGAS AND/OR THE COUNTY OF CLARK , PUBLIC UTILITIES OR SPECIAL DISTRICTS, WHICH MAY NOT HAVE BEEN AFFECTED BY THE PROCEEDINGS VACATING THOSE PORTIONS OF WITTIG AVENUE, CLARENCE AVENUE, RILEY STREET AND BONITA VISTA STREET AS THE SAME WAS RECORDED JUNE 30, 2003 IN BOOK 20030630 AS INSTRUMENT NO. 06908 OF OFFICIAL RECORDS.

DOCUMENT RE-RECORDED JUNE 14, 2004 IN BOOK 20040614 AS INSTRUMENT NO. 02063 OF OFFICIAL RECORDS.
(AFFECTS PARCELS 1, 2 AND 6) **(NO EASEMENTS RESERVED)**

⬡ 30. A DOCUMENT ENTITLED "AFFIDAVIT OF WAIVER AND CONSENT IN CONNECTION WITH THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 1502" RECORDED NOVEMBER 6, 2003 IN BOOK 20031106 AS INSTRUMENT NO. 00764 OF OFFICIAL RECORDS.
(AFFECTS PARCEL 1, 2, 3, 4 AND 5) **(NO EASEMENTS)**

⬡ 31. ANY PRIVATE EASEMENTS OR LESSER RIGHTS TOGETHER WITH THE RIGHTS, IF ANY, OF THE CITY OF LAS VEGAS AND/OR THE COUNTY OF CLARK , PUBLIC UTILITIES OR SPECIAL DISTRICTS, WHICH MAY NOT HAVE BEEN AFFECTED BY THE PROCEEDINGS VACATING VACATION OF A DEDICATED RIGHT-OF-WAY AS THE SAME WAS RECORDED MARCH 15, 2017 IN BOOK 20170315 AS INSTRUMENT NO. 01545 OF OFFICIAL RECORDS.
(AFFECTS LOTS 1 AND 4 OF PARCEL 2)

⬡ 32. COVENANTS, CONDITIONS, AND RESTRICTIONS IN A CITY OF LAS VEGAS NOTICE OF ZONING ACTION RECORDED MARCH 20, 2017, IN BOOK 20170320 AS INSTRUMENT NO. 01802 OF OFFICIAL RECORDS.
(AFFECTS LOTS 1 AND 4 OF PARCEL 2) **(PUBLIC NOTICE OF STREET VACATION)**

THE FOLLOWING ITEMS 19 THROUGH 27 AFFECTS PARCEL 5:

33. COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS IN A HIGHWAY EASEMENT DEED RECORDED JUNE 22, 1990, IN BOOK 900622 AS INSTRUMENT NO. 01101 OF OFFICIAL RECORDS. **(DOES NOT AFFECT SUBJECT PROPERTY)**

⬡ 34. RESERVATIONS AND PROVISIONS AS CONTAINED IN PATENT FROM THE UNITED STATES OF AMERICA, RECORDED JULY 19, 1994, IN BOOK 940719 OF OFFICIAL RECORDS, AS INSTRUMENT NO. 01436.

⬡ 35. AN EASEMENT FORA ROAD, LANDSCAPE AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AUGUST 1, 1996 IN BOOK 960801 AS INSTRUMENT NO. 00381 OF OFFICIAL RECORDS.
A DOCUMENT ENTITLED "ASSIGNMENT OF RIGHT OF WAY GRANT FOR LANDSCAPE PURPOSES" RECORDED AUGUST 12, 1997 IN BOOK 970812 AS INSTRUMENT NO. 00478 OF OFFICIAL RECORDS.

36. A DOCUMENT ENTITLED "ENCROACHMENT AGREEMENT" RECORDED JULY 23, 1997 IN BOOK 970723 AS INSTRUMENT NO. 01481 OF OFFICIAL RECORDS. **(DOES NOT AFFECT SUBJECT PROPERTY)**

⬡ 37. AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED DECEMBER 14, 2006 IN BOOK 20061214 AS INSTRUMENT NO. 02961 OF OFFICIAL RECORDS.

⬡ 38. ANY PRIVATE EASEMENTS OR LESSER RIGHTS TOGETHER WITH THE RIGHTS, IF ANY, OF THE CITY OF LAS VEGAS AND/OR THE COUNTY OF CLARK , PUBLIC UTILITIES OR SPECIAL DISTRICTS, WHICH MAY NOT HAVE BEEN AFFECTED BY THE PROCEEDINGS VACATING PORTIONS OF THE LAND AS THE SAME WAS RECORDED DECEMBER 11, 2007 IN BOOK 20071211 AS INSTRUMENT NO. 04192 OF OFFICIAL RECORDS.

⬡ 39. COVENANTS, CONDITIONS, EASEMENTS (RESERVED) AND RESTRICTIONS IN A ORDER OF VACATION RECORDED DECEMBER 11, 2007, IN BOOK 20071211 AS INSTRUMENT NO. 04192 OF OFFICIAL RECORDS.

⬡ 40. A DOCUMENT ENTITLED "RIGHT OF WAY GRANT FOR DRAINAGE PURPOSES" RECORDED DECEMBER 11, 2007 IN BOOK 20071211 AS INSTRUMENT NO. 04193 OF OFFICIAL RECORDS.

41. A DOCUMENT ENTITLED "ENCROACHMENT AGREEMENT" RECORDED DECEMBER 13, 2007 IN BOOK 20071213 AS INSTRUMENT NO. 00269 OF OFFICIAL RECORDS. **(ALLOWS FOR LANDSCAPING WITHIN PUBLIC RIGHT-OF-WAY)**

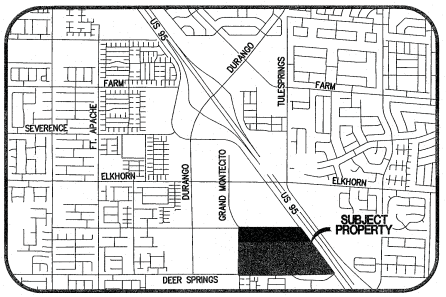
THE FOLLOWNG MATTERS AFFECT PARCEL 7:

42. RESERVATIONS AND PROVISIONS AS CONTAINED IN THE PATENT FROM THE STATE OF NEVADA, RECORDED FEBRUARY 14, 1929, IN BOOK 14, PAGES 23 AND 24 OF DEED RECORDS, AS INSTRUMENT NO. 30370. **(RESERVES MINERAL RIGHTS)**

43. LACK OF ANY AND ALL ABUTTER'S RIGHTS WITH NO RIGHT OF EASEMENT OF ACCESS THERETO IN A FINAL ORDER OF CONDEMNATION RECORDED AUGUST 30, 1995, IN BOOK 950830 AS INSTRUMENT NO. 01103 OF OFFICIAL RECORDS. **(WITHIN US-95 RIGHT-OF-WAY)**

44. THE EFFECT OF A MAP PURPORTING TO SHOW THE LAND AND OTHER PROPERTY, FILED IN BOOK 82, PAGE 86 OF RECORD OF SURVEYS. **(DOES NOT AFFECT SUBJECT PROPERTY)**

45. COVENANTS, CONDITIONS, AND RESTRICTIONS IN A CITY OF LAS VEGAS NOTICE OF ZONING ACTION RECORDED MARCH 06, 2013, IN BOOK 20130306 AS INSTRUMENT NO. 00449 OF OFFICIAL RECORDS. **(DOES NOT AFFECT SUBJECT PROPERTY)**



VICINITY MAP
NOT TO SCALE

LEGAL DESCRIPTION

PARCEL 1:
THAT PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., DESCRIBED AS FOLLOWS:

LOTS 1, 2, 3 AND 4, AS SHOWN BY MAP THEREOF ON FILE IN FILE 45 OF PARCEL MAPS, PAGE 16, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

TOGETHER WITH THOSE PORTIONS OF WITTIG AVENUE, CLARENCE AVENUE, RILEY STREET AND BONITA VISTA STREET AS VACATED BY THE CITY OF LAS VEGAS IN AN ORDER OF VACATION RECORDED JUNE 30, 2003 IN BOOK 20030630 AS INSTRUMENT NO. 06908 AND RERECORDED JUNE 14, 2004 IN BOOK 20040614 AS INSTRUMENT NO. 02063 OF OFFICIAL RECORDS.

EXCEPTING FROM LOTS 1, 2, 3 AND 4, THAT PORTION AS CONVEYED TO THE CITY OF LAS VEGAS BY THAT CERTAIN GRANT DEED RECORDED JUNE 30, 2003 IN BOOK 20030630 AS INSTRUMENT NO. 06913 AND RE-RECORDED JUNE 14 2004 IN BOOK 20040614 AS INSTRUMENT NO. 02298 OF OFFICIAL RECORDS.

ALSO, EXCEPTING THOSE PORTIONS OF LOTS 2 AND 3, CLARENCE AVENUE AND RILEY STREET AS CONVEYED TO THE CITY OF LAS VEGAS BY THAT CERTAIN GRANT DEED RECORDED DECEMBER 11, 2007 IN BOOK 20071211 AS INSTRUMENT NO. 04194 OF OFFICIAL RECORDS.

PARCEL 2:
THAT PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., DESCRIBED AS FOLLOWS:

LOTS 1, 2, 3 AND 4, AS SHOWN BY MAP THEREOF ON FILE IN FILE 45 OF PARCEL MAPS, PAGE 15, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

TOGETHER WITH THOSE PORTIONS OF WITTIG AVENUE, CLARENCE AVENUE, AND BONITA VISTA STREET AS VACATED BY THE CITY OF LAS VEGAS IN AN ORDER OF VACATION RECORDED JUNE 30, 2003 IN BOOK 20030630 AS INSTRUMENT NO. 06908 AND RE-RECORDED JUNE 14, 2004 IN BOOK 20040614 AS INSTRUMENT NO. 02063 OF OFFICIAL RECORDS.

TOGETHER WITH THOSE PORTIONS VACATED BY THE ORDER OF VACATION OF DEDICATED RIGHT-OF-WAY RECORDED MARCH 15, 2017 IN BOOK 20170315 AS INSTRUMENT NO. 01545 OF OFFICIAL RECORDS AS TO LOTS 1 AND 4

PARCEL 3:
THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

EXCEPTING THEREFROM THAT PORTION AS CONVEYED TO THE CITY OF LAS VEGAS BY THAT CERTAIN GRANT DEED RECORDED JUNE 30, 2003 IN BOOK 20030630 AS INSTRUMENT NO 06913 AND RE-RECORDED JUNE 14 2004 IN BOOK 20040614 AS INSTRUMENT NO. 02298 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION AS CONVEYED TO THE CITY OF LAS VEGAS BY THAT CERTAIN GRANT DEED RECORDED DECEMBER 11, 2007 IN BOOK 20071211 AS INSTRUMENT NO. 04194 OF OFFICIAL RECORDS.

PARCEL 4:
THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

EXCEPTING THEREFROM THAT PORTION AS CONVEYED TO THE CITY OF LAS VEGAS BY THAT CERTAIN GRANT DEED RECORDED JUNE 30, 2003 IN BOOK 20030630 AS INSTRUMENT NO. 06913 AND RE-RECORDED JUNE 14 2004 IN BOOK 20040614 AS INSTRUMENT NO. 02298 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION AS CONVEYED TO THE CITY OF LAS VEGAS BY THAT CERTAIN GRANT DEED RECORDED DECEMBER 11, 2007 IN BOOK 20071211 AS INSTRUMENT NO. 04194 OF OFFICIAL RECORDS.

PARCEL 5:
THAT PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 21, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M. LYING SOUTHWESTERLY OF THE SOUTHWESTERLY LINE OF U.S. HIGHWAY NO. 95 AS IT MAY NOW EXIST.

PARCEL 6:
THAT PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., BEING A PORTION OF GRAND MONTECITO PARKWAY, AS VACATED IN THAT CERTAIN ORDER OF VACATION RECORDED DECEMBER 12, 2007 IN BOOK 20071211 AS INSTRUMENT NO. 04192 OF OFFICIAL RECORDS.

PARCEL 7: **(NOT A PART OF THIS SURVEY)**
THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 21, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B.&M.

EXCEPTING THEREFROM A THIRTY FOOT (30') RIGHT OF WAY ADJACENT TO THE SECTION LINE, MORE FULLY DESCRIBED AS BORDERING ANY PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 21, TOWNSHIP 19 SOUTH, RANGE 60 EAST AS CONVEYED TO CLARK COUNTY FOR ROAD PURPOSES BY DEED RECORDED JANUARY 15, 1952 IN BOOK 65 OF DEEDS, PAGE 244, CLARK COUNTY, NEVADA, AS DOCUMENT 379825.

FURTHER EXCEPTING THOSE PORTIONS CONDEMNED IN FAVOR THE STATE OF NEVADA BY FINAL ORDER OF CONDEMNATION (CASE NO. A320304) RECORDED AUGUST 30, 1995 IN BOOK 950830 OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA, AS DOCUMENT NO. 01103 FURTHER EXCEPTING THEREFROM ANY PORTION OF SAID LAND LYING NORTHEASTERLY OF THE SOUTHWESTERLY LINE OF U.S. HIGHWAY 95 AS IT NOW EXISTS.

SURVEYOR'S COMMENTS

1. THE PROPERTY DESCRIBED HEREON IS LOCATED IN FLOOD ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN) AS DEFINED BY FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAPS FOR CLARK COUNTY, NEVADA AND INCORPORATED AREAS, MAP NO. 32003C1745 E, PANEL NUMBER 1745 OF 4090, REVISED SEPTEMBER 27, 2002.

2. THE LOCATION OF UTILITIES SHOWN ON THIS MAP ARE BASED ON VISIBLE SURFACE EVIDENCE. THE SURVEYOR BEARS NO RESPONSIBILITY FOR THE LOCATION OF NON-VISIBLE UTILITIES SHOWN OR NOT SHOWN ON THIS MAP. IT IS THE RESPONSIBILITY OF THE DEVELOPER AND/OR CONTRACTOR TO VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO ACTUAL CONSTRUCTION. TRI-CORE SURVEYING AND THE CERTIFYING SURVEYOR SHALL NOT BE LIABLE FOR THE LOCATION OR THE FAILURE TO NOTE THE LOCATION OF NON-VISIBLE UTILITIES.

3. NO ATTEMPT HAS BEEN MADE TO RESEARCH SERVICE CONNECTIONS. FOR FURTHER INFORMATION REGARDING LOCATION, DEPTH OR SIZE OF UTILITIES, OR POINTS OF CONNECTIONS, CONTACT THE APPROPRIATE UTILITY COMPANY

CALL BEFORE YOU DIG – 811

4. AREA= 65.00 ACRES (GROSS)
60.37 ACRES (NET)

5. PROPERTY ADDRESS: PARCEL 4 (APN 125-20-601-003) 6810 GRAND MONTECITO PKWY
(NO OTHER ADDRESSES ASSIGNED)

6. ZONING: SUBJECT PROPERTY IS ZONED: **(MC-TC) MONTECITO – TOWN CENTER**
(WEST OF DOEBROOK)
(UC-TC) URBAN CENTER MIXED USE – TOWN CENTER
(EAST OF DOEBROOK)

NO SPECIFIC SETBACKS LISTED IN THE CITY OF LAS VEGAS UNIFIED DEVELOPMENT CODE TITLE 19.

A ZONING REPORT WAS NOT PROVIDED TO THE CERTIFYING LAND SURVEYOR, THE ABOVE ZONING INFORMATION WAS OBTAINED JULY 25, 2018 FROM THE CITY OF LAS VEGAS UNIFIED DEVELOPMENT CODE "TOWN CENTER DEVELOPMENT STANDARDS MANUAL":
(https://www.lasvegasnevada.gov/cs/groups/public/documents/document/dhn0/mday/~edisp/tst002698.pdf)

7. NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THIS SURVEY.

BASIS OF BEARINGS

NORTH 89°56'20" EAST, BEING THE BEARING OF THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN BY MAP THEREOF ON FILE IN THE CLARK COUNTY, NEVADA RECORDER'S OFFICE IN FILE 118, PAGE 89 OF SURVEYS.

SURVEYOR'S CERTIFICATE

TO: KB HOME NEVADA, INC;
FIRST AMERICAN TITLE COMPANY;

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 6(a), 8, 13, 14 AND 16 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JULY 20, 2018.

PROFESSIONAL LAND SURVEYOR – ROBERT J. FOLEY – EXPIRES 06/30/19 – No.17449

8-2-18

ROBERT J. FOLEY
PROFESSIONAL LAND SURVEYOR
NEVADA LICENSE NO. 17449

PRJ-76273
04/22/19

NO.	DESCRIPTION	DATE	APP'D

DATE : 8/2/2018
PM : RF
DRAWN BY : RF
DESIGNED BY :
CHECKED BY : ML
ADA CHECKED :
JOB NO. : 03018.0016
SCALE : N/A

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TRI-CORE SURVEYING, LLC
LAND SURVEYING · CONSTRUCTION STAKING
MAPPING & LAND DEVELOPMENT SERVICES
BOUNDARY & TOPOGRAPHIC SURVEYS
6781 WEST CHARLESTON BLVD.
LAS VEGAS, NEVADA 89146
TEL (702) 821-1654 FAX (702) 870-4378

ALTA/NSPS LAND TITLE SURVEY
GRAND MONTECITO & DEER SPRINGS
COVER SHEET

SHEET 1 OF 4

City Council - Page 1075

P:\03018.0016 Grand Montecito & Deer Springs\Mapping\drawings\ALTA_Grand Montecito_Deer Springs.dwg rfoley Thu, 02 Aug 2018 - 2:33pm

ALTA/NSPS LAND TITLE SURVEY

A PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 20, TOGETHER WITH A PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 21, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

NORTH

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	TANGENT
C1	13°28'13"	382.50'	89.93'	45.17'
C2	31°32'32"	379.89'	209.14'	107.29'
C3	74°21'07"	477.50'	619.65'	362.13'
C4	8°25'01"	377.50'	55.46'	27.78'
C5	29°41'36"	291.00'	150.81'	77.14'
C6	3°37'54"	309.00'	19.59'	9.80'
C7	33°31'17"	367.50'	215.01'	110.68'
C8	90°14'13"	54.00'	85.05'	54.22'
C9	11°18'35"	17.00'	3.36'	1.68'
C10	11°18'35"	33.00'	6.51'	3.27'
C11	16°41'58"	33.00'	9.62'	4.84'
C12	16°41'58"	17.00'	4.95'	2.50'
C13	76°24'09"	54.00'	72.01'	42.50'
C14	9°44'53"	54.00'	9.19'	4.60'
C15	7°03'48"	16.00'	1.97'	0.99'
C16	13°21'15"	34.00'	7.92'	3.98'
C17	9°02'57"	487.50'	76.99'	38.58'
C18	0°09'25"	281.00'	0.77'	0.38'
C19	10°18'11"	34.00'	6.11'	3.07'

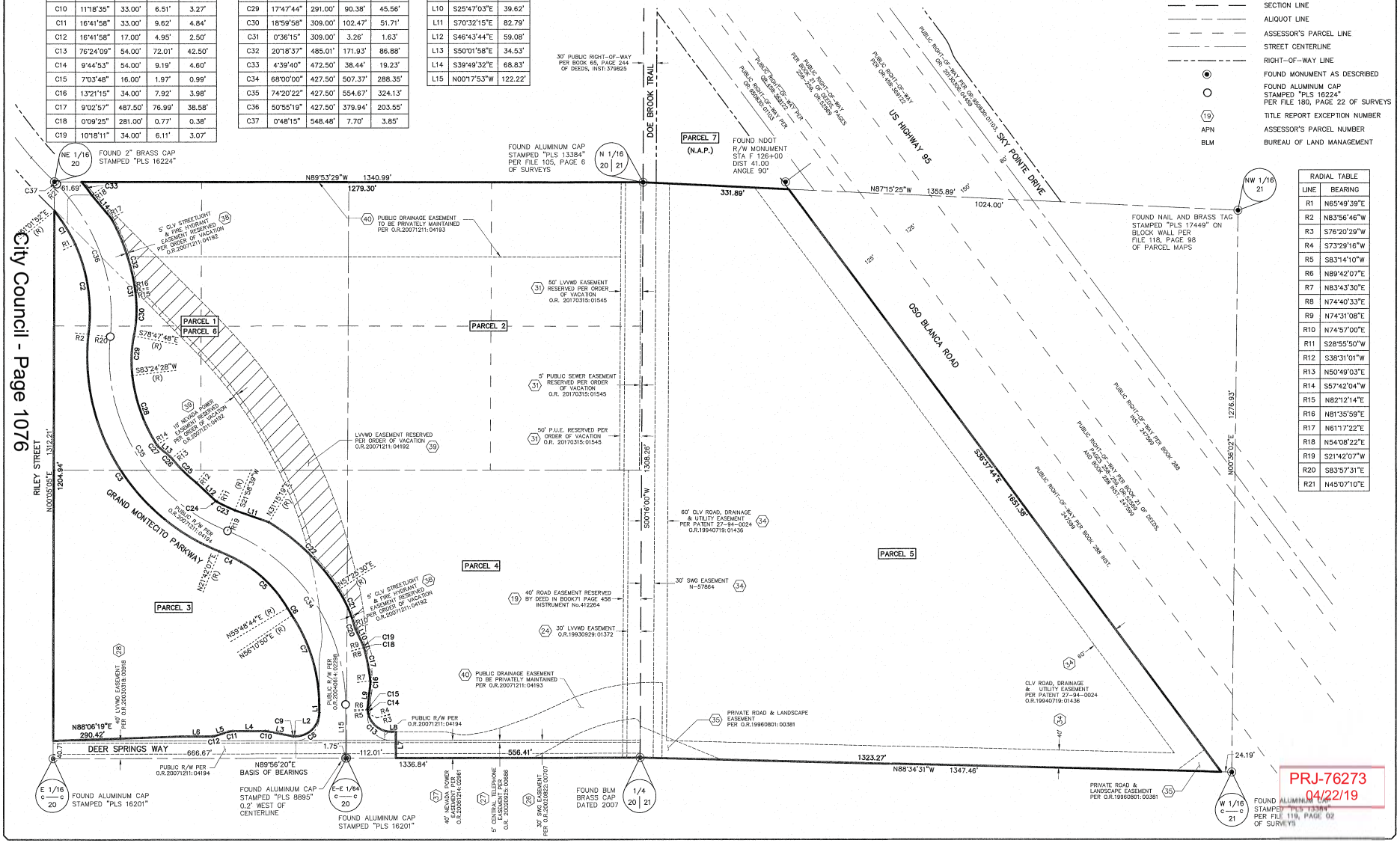
CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	TANGENT
C20	10°44'03"	16.00'	3.00'	1.50'
C21	17°31'30"	309.00'	94.51'	47.63'
C22	26°10'11"	487.50'	222.66'	113.31'
C23	6°57'11"	377.50'	45.81'	22.93'
C24	14°20'26"	16.00'	4.00'	2.01'
C25	12°18'02"	367.50'	78.90'	39.60'
C26	10°51'01"	34.00'	6.44'	3.23'
C27	17°44'02"	16.00'	4.95'	2.50'
C28	25°42'24"	377.50'	169.37'	86.14'
C29	17°47'44"	291.00'	90.38'	45.56'
C30	18°59'58"	309.00'	102.47'	51.71'
C31	0°36'15"	309.00'	3.26'	1.63'
C32	20°18'37"	485.01'	171.93'	86.88'
C33	4°39'40"	472.50'	38.44'	19.23'
C34	68°00'00"	427.50'	507.37'	288.35'
C35	74°20'22"	427.50'	554.67'	324.13'
C36	50°55'19"	427.50'	379.94'	203.55'
C37	0°48'15"	548.48'	7.70'	3.85'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°17'53"W	17.75'
L2	N89°56'20"E	4.39'
L3	S78°45'05"E	56.24'
L4	N89°56'20"E	73.86'
L5	N73°14'22"E	34.42'
L6	N89°56'20"E	71.33'
L7	N00°03'40"W	60.00'
L8	S89°56'20"W	10.34'
L9	S06°45'55"W	56.03'
L10	S25°47'03"E	39.62'
L11	S70°32'15"E	82.79'
L12	S46°43'44"E	59.08'
L13	S50°01'58"E	34.53'
L14	S39°49'32"E	68.83'
L15	N00°17'53"W	122.22'

RADIAL TABLE	
LINE	BEARING
R1	N65°49'39"E
R2	N83°56'46"W
R3	S76°20'29"W
R4	S73°29'16"W
R5	S83°14'10"W
R6	N89°42'07"E
R7	N83°43'30"E
R8	N74°40'33"E
R9	N74°31'08"E
R10	N74°57'00"E
R11	S28°55'50"W
R12	S38°31'01"W
R13	N50°49'03"E
R14	S57°42'04"W
R15	N82°12'14"E
R16	N81°35'59"E
R17	N61°17'22"E
R18	N54°08'22"E
R19	S21°42'07"W
R20	S83°57'31"E
R21	N45°07'10"E

LEGEND

- BOUNDARY LINE
- SECTION LINE
- ALIQUOT LINE
- ASSESSOR'S PARCEL LINE
- STREET CENTERLINE
- RIGHT-OF-WAY LINE
- FOUND MONUMENT AS DESCRIBED
- FOUND ALUMINUM CAP STAMPED "PLS 16224" PER FILE 180, PAGE 22 OF SURVEYS
- (19) TITLE REPORT EXCEPTION NUMBER
- APN ASSESSOR'S PARCEL NUMBER
- BLM BUREAU OF LAND MANAGEMENT



PRJ-76273
04/22/19

TRI-CORE SURVEYING, LLC
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6781 WEST CHARLESTON BLVD.
LAS VEGAS, NEVADA 89146
TEL (702) 821-1854 FAX (702) 870-4378

ALTA/NSPS LAND TITLE SURVEY
GRAND MONTECITO & DEER SPRINGS

BOUNDARY ANALYSIS
EXISTING EASEMENTS

PROFESSIONAL LAND SURVEYOR STATE OF NEVADA
ROBERT J. FOLEY
No. 17449
EXPIRES 06-30-18
8-2-18

SHEET 2 OF 4

NO.	DESCRIPTION	DATE	APP'D

DATE : 8/2/2018
PM : RF
DRAWN BY : RF
DESIGNED BY :
CHECKED BY : ML
ADA CHECKED :
JOB NO. : 03018.2016
SCALE : 1"=200'

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City Council - Page 1076

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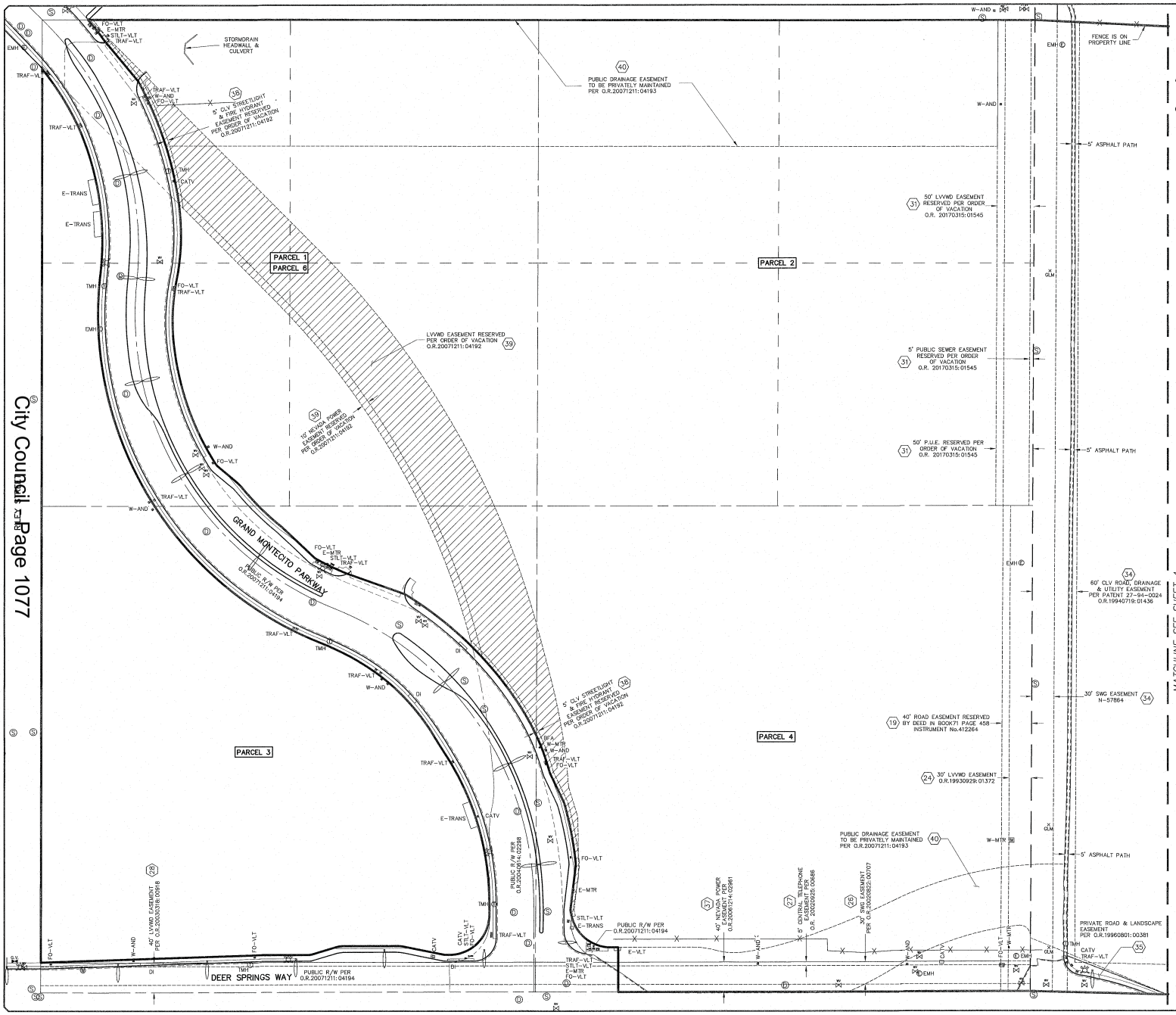

ALTA/NSPS
LAND TITLE SURVEY

A PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 20, TOGETHER WITH A PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 21, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

NORTH

GRAPHIC SCALE

60 0 30 60 120 240

(IN FEET)
1 inch = 60 ft.

LEGEND

- BOUNDARY LINE
- SECTION LINE
- ALIQUOT LINE
- ASSESSOR'S PARCEL LINE
- RIGHT-OF-WAY LINE
- EASEMENT LINE
- FOUND MONUMENT AS DESCRIBED
- (6) TITLE REPORT EXCEPTION NUMBER
- L1 LINE NUMBER
- C1 CURVE NUMBER
- EDGE OF PAVEMENT
- FENCE LINE
- BLOCK WALL
- "L" TYPE CURB
- MATCHLINE
- FIRE HYDRANT
- WATER VALVE
- WLM WATER LINE MARKER
- W-MTR WATER METER
- W-AND WATER ANODE
- WATER BLOW OFF
- WMH WATER MANHOLE
- W-VLT WATER VAULT
- BFA WATER BACKFLOW ASSEMBLY
- STREET LIGHT
- STLT-VLT STREETLIGHT VAULT/PULLBOX
- TRAFFIC SIGNAL
- TRAF-VLT TRAFFIC SIGNAL VAULT/PULLBOX
- EMH ELECTRICAL MANHOLE
- E-VLT ELECTRICAL VAULT/PULLBOX
- E-TRANS ELECTRICAL TRANSFORMER
- E-MTR ELECTRIC METER
- POWER POLE
- TMH TELEPHONE MANHOLE
- TELE-VLT TELEPHONE VAULT/PULLBOX
- FO-VLT FIBER OPTIC VAULT/PULLBOX
- CATV CABLE TV VAULT/PULLBOX
- STORM DRAIN MANHOLE
- SEWER MANHOLE
- DI STORM DRAIN INLET
- GLM GAS LINE MARKER
- GAS VALVE
- SIGN
- APN ASSESSOR'S PARCEL NUMBER
- CNLV CITY OF NORTH LAS VEGAS
- P.U.E. PUBLIC UTILITY EASEMENT
- OR: OFFICIAL RECORDS, CLARK COUNTY
- R/W RIGHT-OF-WAY LINE
- BLM BUREAU OF LAND MANAGEMENT
- GL 12 GOVERNMENT LOT LINE

PRJ-76273
04/22/19

NO.	DESCRIPTION	DATE	APP'D

DATE : 8/2/2018
PM : RF
DRAWN BY : RF
DESIGNED BY :
CHECKED BY : ML
ADA CHECKED :
JOB NO. : 03018.0016
SCALE : 1"=200'

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ALTA/NSPS LAND TITLE SURVEY
GRAND MONTECITO & DEER SPRINGS
EASEMENTS & EXISTING IMPROVEMENTS

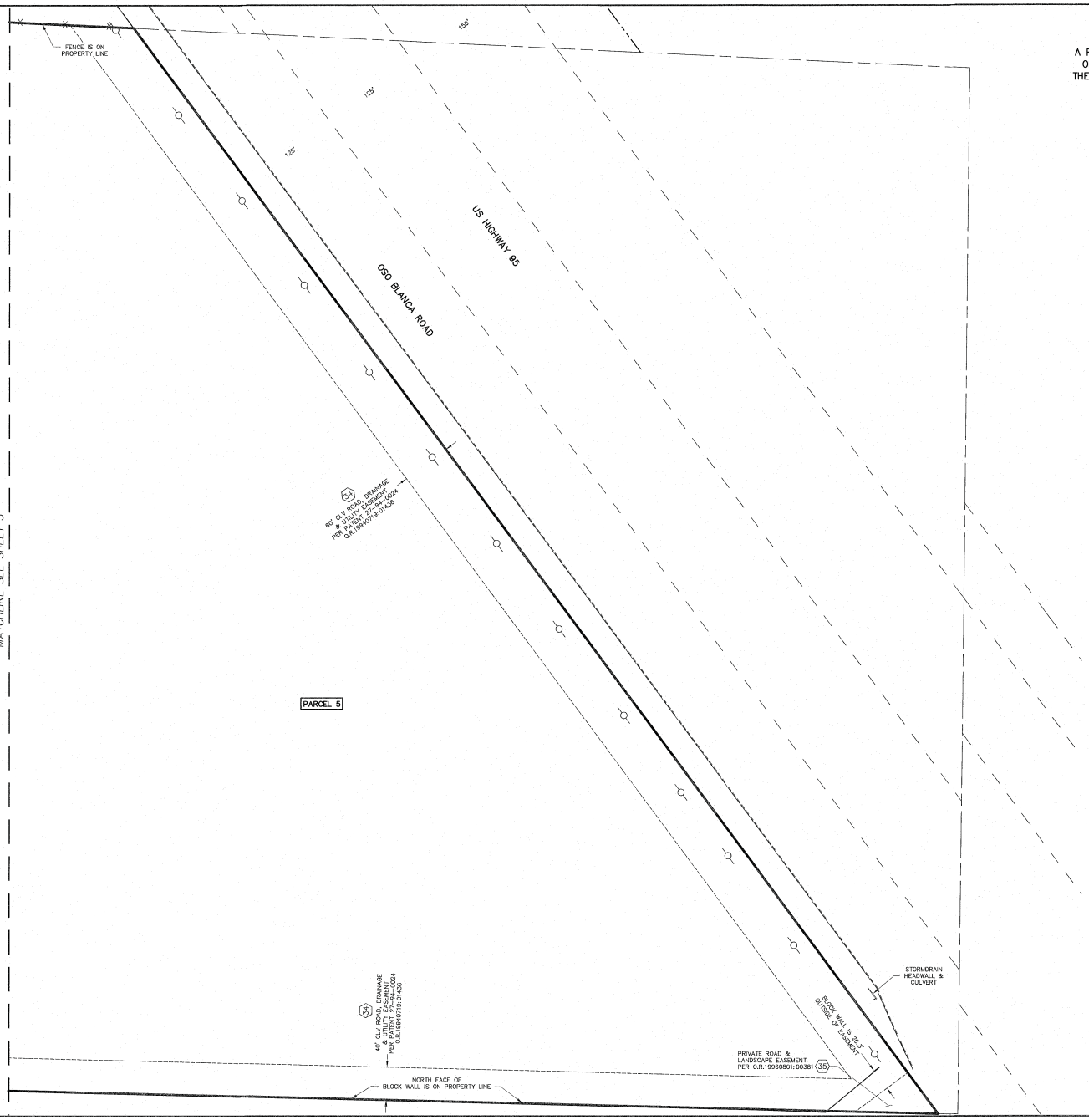
PROFESSIONAL LAND SURVEYOR
ROBERT J. FOLEY
No.17449
EXPIRES 06-30-19
STATE OF NEVADA
8-2-18

SHEET
3
OF 4

P:\03018.0016 Grand Montecito & Deer Springs\Mapping\drawings\ALTA_Grand Montecito_Deer Springs topo.dwg rfoley Thu, 02 Aug 2018 - 2:32pm

ALTA/NSPS LAND TITLE SURVEY

A PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 20, TOGETHER WITH A PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 21, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA



MATCHLINE SEE SHEET 3

City Council - Page 1078

NORTH

GRAPHIC SCALE

60 0 30 60 120 240

(IN FEET)
1 inch = 60 ft.

LEGEND

	BOUNDARY LINE
	SECTION LINE
	ALIQUOT LINE
	ASSESSOR'S PARCEL LINE
	RIGHT-OF-WAY LINE
	EASEMENT LINE
	FOUND MONUMENT AS DESCRIBED
6	TITLE REPORT EXCEPTION NUMBER
L1	LINE NUMBER
C1	CURVE NUMBER
	EDGE OF PAVEMENT
	FENCE LINE
	BLOCK WALL
	"L" TYPE CURB
	MATCHLINE
	FIRE HYDRANT
	WATER VALVE
WLM	WATER LINE MARKER
W-MTR	WATER METER
W-AND	WATER ANODE
	WATER BLOW OFF
WMH	WATER MANHOLE
W-VLT	WATER VAULT
BFA	WATER BACKFLOW ASSEMBLY
	STREET LIGHT
STLT-VLT	STREETLIGHT VAULT/PULLBOX
	TRAFFIC SIGNAL
TRAF-VLT	TRAFFIC SIGNAL VAULT/PULLBOX
EMH	ELECTRICAL MANHOLE
E-VLT	ELECTRICAL VAULT/PULLBOX
E-TRANS	ELECTRICAL TRANSFORMER
E-MTR	ELECTRIC METER
	POWER POLE
TMH	TELEPHONE MANHOLE
TELE-VLT	TELEPHONE VAULT/PULLBOX
FO-VLT	FIBER OPTIC VAULT/PULLBOX
CATV	CABLE TV VAULT/PULLBOX
D	STORM DRAIN MANHOLE
S	SEWER MANHOLE
DI	STORM DRAIN INLET
GLM	GAS LINE MARKER
G.V.	GAS VALVE
	SIGN
APN	ASSESSOR'S PARCEL NUMBER
CNLV	CITY OF NORTH LAS VEGAS
P.U.E.	PUBLIC UTILITY EASEMENT
OR:	OFFICIAL RECORDS, CLARK COUNTY
R/W	RIGHT-OF-WAY LINE
BLM	BUREAU OF LAND MANAGEMENT
GL 12	GOVERNMENT LOT LINE

PRJ-76273
04/22/19

NO.	DESCRIPTION	DATE	APP'D

DATE : 8/2/2018
PM : RF
DRAWN BY : RF
DESIGNED BY :
CHECKED BY : ML
ADA CHECKED :
JOB NO. : 03018.0016
SCALE : 1"=200'

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LAND SURVEYING · CONSTRUCTION STAKING
MAPPING & LAND DEVELOPMENT SERVICES
BOUNDARY & TOPOGRAPHIC SURVEYS
6761 WEST CHARLESTON BLVD.
LAS VEGAS, NEVADA 89146
TEL (702) 821-1554 FAX (702) 870-4378

ALTA/NSPS LAND TITLE SURVEY
GRAND MONTECITO & DEER SPRINGS
EASEMENTS & EXISTING IMPROVEMENTS

PROFESSIONAL LAND SURVEYOR - STATE OF NEVADA
ROBERT J. FOLEY
EXPIRES 06-30-19
No. 17449
8-2-18

SHEET 4 OF 4

P:\03018.0016 Grand Montecito & Deer Springs\Mapping\drawings\ALTA_Grand Montecito_Deer Springs topo.dwg rfoley Thu, 02 Aug 2018 - 2:32pm



MOD-76339 [PRJ-76273] - MAJOR MODIFICATION RELATED TO VAC-76340 - APPLICANT/OWNER: KB HOME NV ACQUISITION, LLC
EAST OF GRAND MONTECITO PARKWAY, ON THE WEST SIDE OF DOE BROOK TRAIL ALIGNMENT

05/02/2019



MOD-76339 [PRJ-76273] - MAJOR MODIFICATION RELATED TO VAC-76340 - APPLICANT/OWNER: KB HOME NV ACQUISITION, LLC
EAST OF GRAND MONTECITO PARKWAY, ON THE WEST SIDE OF DOE BROOK TRAIL ALIGNMENT

05/02/2019



MOD-76339 [PRJ-76273] - MAJOR MODIFICATION RELATED TO VAC-76340 - APPLICANT/OWNER: KB HOME NV ACQUISITION, LLC
EAST OF GRAND MONTECITO PARKWAY, ON THE WEST SIDE OF DOE BROOK TRAIL ALIGNMENT

05/02/2019

KBH1805.000

April 22, 2019

City of Las Vegas
Planning and Development
333 S. Rancho Drive
Las Vegas, NV 89101

RE: Justification Letter for Montecito 60 Major Modification (MOD)
(APNs 125-20-603-002 & 004)

Westwood Professional Services, Inc., dba Slater Hanifan Group (SHG), on behalf of the applicant, KB Home, respectfully submits this justification letter in support of a Major Modification to the Town Center Development Standards on the subject site.

The subject site is located west of the Doe Brook alignment and north of the proposed Center Street as shown on the approved Tentative Map (TMP-746396). The site consists of approximately 3.19 acres as shown on FMP-76053 and the current land use designation is MC-TC. We are respectfully requesting a Major Modification to the land use designation from MC-TC to UC-TC to match the land use designation on the remaining portion of the Multi-family site located to the east as shown on the approved Tentative Map.

This request is a condition of the overall approved project (PRJ-74608). We were conditioned to create a parcel and change the land use designation to UC-TC to clean up the land use classifications for the approved Tentative Map. The Final Map to create the parcel has been approved to mylar from the CLV and will record on or before 4/30.

A neighborhood meeting was held on 4/18/19 to inform the neighbors of the application we are in the process of submitting and to bring them up to speed on the progress of our development.

We respectfully request your support on this application. Please contact me at (702) 284-5300 if you have any questions or concerns regarding this application.

Sincerely,
Westwood Professional Services, Inc.,
dba Slater Hanifan Group

Timothy Mulrooney, PE
Director of Land Development

Cc: Mark Bangan, KB Homes;
Paul Chao, KB Homes

PRJ-76273
04/22/19

PAGE 01/02

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2019 JUL -8 A 10:39

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Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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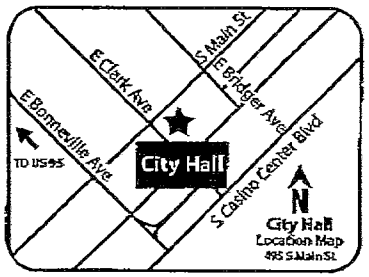

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

MOD-76339 [PRJ-76273]
City Council Meeting of **JULY 17, 2019**

PRJ-76273
12520601005
M S NORTHWEST LAND COMPANY L L C
N L V L L V
%EHB CO LLC ~ LEGAL DEPT
1215 S FORT APACHE RD #120
LAS VEGAS NV 89117

HENDERSON STEEL
7025660957
07/08/2019 10:32

PAGE 02/02
HENDERSON STEEL
07/08/2019 10:32 7025660957

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2019 JUL -8 A 10:39

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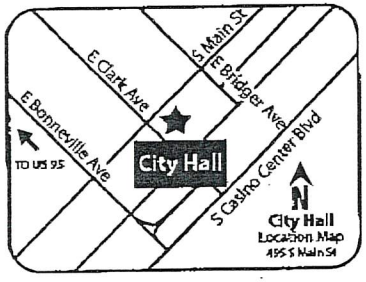

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

MOD-76339 [PRJ-76273]
City Council Meeting of **JULY 17, 2019**

PRJ-76273
12520602011
M S NORTHWEST LAND COMPANY L L C
N L V L L C
%EHB COMPANIES LLC~%LEGAL DEPT
1215 S FORT APACHE #120
LAS VEGAS NV 89117

City Council - Page 1084

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE

Planning and Development Department
Case Planning Division
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106
(702) 229-6301 Phone (702) 464-7499 Fax

RECEIVED
JUN 10 2019
Dept of Planning
City of Las Vegas

CASE: MOD-76339 [PRJ-76273] - MAJOR MODIFICATION RELATED TO VAC-76340

SUBJECT: APPLICANT/OWNER: KB HOME NV ACQUISITION, LLC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***JUNE 11, 2019*** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to ***Nora Lares*** at ***(702)464-7499*** or e-mail to ***nlares@lasvegasnevada.gov.*** If there is no one present at the Planning Commission meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any Planning Commissioner or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions and return to our office by 5:00PM ***MONDAY, JUNE 10, 2019.***

Signature

6.10.19
Date

MARK BANGAN
Please Print Name

K B HOME
Company Name

Sincerely,

Eric McCammond
Sr. Management Analyst
Case Planning Division

Submitted after final agenda
Item 10

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

LAS VEGAS
NV 890
04 JUN '19
PM 3 L

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City of Las Vegas

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City Council - Page 08

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

MOD-76339 [PRJ-76273]

Planning Commission Meeting of **06/11/2019**

PRJ-76273
12521310010
MAZZOLA BRANDI LIVING TRUST
MAZZOLA BRANDI TRS
8308 W DEER SPRINGS WAY
LAS VEGAS NV 89149

127 DRDFNP1 89149

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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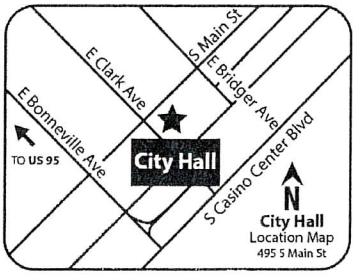

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City of Las Vegas

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

MOD-76339 [PRJ-76273]
Planning Commission Meeting of **06/11/2019**

PRJ-76273
12521311006
CALDERONE RONALD J & CANDACE
8320 FAWN BROOK CT
LAS VEGAS NV 89149

127 DRDFNP1 89149

Submitted after final agenda

10P

PAGE 01/03
HENDERSON STEEL
7025660957
05/31/2019 14:47

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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JUN 04 2019
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City of Las Vegas

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

MOD-76339 [PRJ-76273]
Planning Commission Meeting of **06/11/2019**

PRJ-76273
12520602011
M S NORTHWEST LAND COMPANY L L C
N L V L L C
%EHB COMPANIES LLC~%LEGAL DEPT
1215 S FORT APACHE #120
LAS VEGAS NV 89117

111 DROFNP1 89117

Submitted after final agenda

10A

PAGE 02/03
HENDERSON STEEL
7025660957
05/31/2019 14:47

City of Las Vegas
Department of Planning
Development Services Center
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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

MOD-76339 [PRJ-76273]
Planning Commission Meeting of **06/11/2019**

PRJ-76273
12520602006
M S NORTHWEST LAND COMPANY L L C
N L V L L C
%EHB COMPANIES LLC~%LEGAL DEPT
1215 S FORT APACHE #120
LAS VEGAS NV 89117

10A

PAGE 03/03
HENDERSON STEEL
7025660957
05/31/2019 14:47

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Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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City of Las Vegas

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

MOD-76339 [PRJ-76273]
Planning Commission Meeting of **06/11/2019**

PRJ-76273
12520601005
M S NORTHWEST LAND COMPANY L L C
N L V L L V
%EHB CO LLC ~ LEGAL DEPT
1215 S FORT APACHE RD #120
LAS VEGAS NV 89117

10A

Nora Lares

From: noreply@formstack.com
Sent: Monday, June 10, 2019 12:41 PM
To: Planning Comments
Subject: Planning Application Comments Form

EXTERNAL EMAIL

formstack

Formstack Submission For: Planning Application Comments 2019
Submitted at 06/10/19 12:40 PM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	PRJ-76273
Position:	I SUPPORT the project and all related applications.
Name:	Reed BIGHAM
Residential or Business Address:	8308 fawn brook ct Las Vegas, NV 89149

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Submitted after final agenda

10-11 A

Nora Lares

From: noreply@formstack.com
Sent: Saturday, June 8, 2019 9:28 AM
To: Planning Comments
Subject: Planning Application Comments Form

EXTERNAL EMAIL

formstack

Formstack Submission For: Planning Application Comments 2019
Submitted at 06/08/19 9:27 AM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	PRJ-76273
Position:	I SUPPORT the project and all related applications.
Name:	Vanessa Leavitt
Residential or Business Address:	8309 Fawn Brook Ct Las Vegas , NV 89149
Phone:	(702) 374-2668
Email:	vnssleavitt@gmail.com

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10-11A

Nora Lares

From: noreply@formstack.com
Sent: Saturday, June 8, 2019 8:17 PM
To: Planning Comments
Subject: Planning Application Comments Form

EXTERNAL EMAIL

formstack

Formstack Submission For: Planning Application Comments 2019
Submitted at 06/08/19 8:16 PM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	76273
Position:	I SUPPORT the project and all related applications.
Name:	Michelle Halberg
Residential or Business Address:	8321 Mountain Heather CT Las Vegas , NV 89149

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10-11 A

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To: Planning Comments
Subject: Planning Application Comments Form

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Formstack Submission For: Planning Application Comments 2019
Submitted at 06/08/19 8:22 PM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	PRJ-76273
Position:	I SUPPORT the project and all related applications.
Name:	Monica Bradshaw
Residential or Business Address:	8216 Mountain Heather Ct Las Vegas, NV 89149
Phone:	(636) 293-5384
Email:	monicabradshaw06@hotmail.com
Comments:	This is a beautiful backyard that definitely maintains the value of our community.

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10-11 A

Nora Lares

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Formstack Submission For: Planning Application Comments 2019
Submitted at 06/08/19 8:34 PM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	76273
Position:	I SUPPORT the project and all related applications.
Name:	Jaime Telles
Residential or Business Address:	8320 Antler Pines Ct Las Vegas , NV 89149
Phone:	(702) 610-2599
Email:	jtelles02@gmail.com

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Nora Lares

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Subject: Planning Application Comments Form

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Formstack Submission For: Planning Application Comments 2019
Submitted at 06/09/19 12:07 AM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	76273
Position:	I SUPPORT the project and all related applications.
Name:	Miguel Lopez
Residential or Business Address:	8228 Deer Springs Way Las Vegas , NV 89149
Phone:	(931) 338-8474
Email:	Lopez.miguel.a1@gmail.com
Comments:	We fully support our neighbor and wish them the best outcome.

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10-11A

Nora Lares

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To: Planning Comments
Subject: Planning Application Comments Form

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Formstack Submission For: Planning Application Comments 2019
Submitted at 06/09/19 11:43 AM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	PRJ-76273
Position:	I SUPPORT the project and all related applications.
Name:	Edmond Cooper
Residential or Business Address:	6501 Columbia Falls CT. Las Vegas, NV 89149
Phone:	(702) 658-1178
Email:	edmond_c_2001@yahoo.com

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To: Planning Comments
Subject: Planning Application Comments Form

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Formstack Submission For: Planning Application Comments 2019
Submitted at 06/09/19 12:35 PM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	76273
Position:	I SUPPORT the project and all related applications.
Name:	Nicole Garay
Residential or Business Address:	8212 Mountain Heather Ct. Las Vegas, NV 89149

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16-11A

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To: Planning Comments
Subject: Planning Application Comments Form

EXTERNAL EMAIL

formstack

Formstack Submission For: Planning Application Comments 2019
Submitted at 06/09/19 1:28 PM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	76273
Position:	I SUPPORT the project and all related applications.
Name:	Michael Shurko
Residential or Business Address:	8312 Deer Springs way Las vegas, NV 89149
Phone:	(702) 960-2879
Email:	mshurko11@gmail.com

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Sent: Monday, June 10, 2019 8:39 AM
To: Planning Comments
Subject: Planning Application Comments Form

EXTERNAL EMAIL

formstack

Formstack Submission For: Planning Application Comments 2019

Submitted at 06/10/19 8:38 AM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	76273
Position:	I SUPPORT the project and all related applications.
Name:	Vincenzo Picerno
Residential or Business Address:	8332 Fawn Heather Ct Las Vegas , NV 89149

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10-11 A

Nora Lares

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Sent: Tuesday, June 4, 2019 12:55 PM
To: Planning Comments
Subject: Planning Application Comments Form

EXTERNAL EMAIL

formstack

Formstack Submission For: Planning Application Comments 2019
Submitted at 06/04/19 12:54 PM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	76273
Position:	I SUPPORT the project and all related applications.
Name:	BARBARA KAUFFMAN
Residential or Business Address:	8220 FAWN HEATHER COURT LAS VEGAS, NV 89149

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10-11A

Nora Lares

From: noreply@formstack.com
Sent: Tuesday, June 4, 2019 3:12 PM
To: Planning Comments
Subject: Planning Application Comments Form

EXTERNAL EMAIL

formstack

Formstack Submission For: Planning Application Comments 2019
Submitted at 06/04/19 3:11 PM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	76273
Position:	I SUPPORT the project and all related applications.
Name:	Jason Creager
Residential or Business Address:	8313 Antler Pines Ct Las Vegas, NV 89149-4502
Phone:	(702) 354-9968
Email:	jason@creager.com

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10-11A

Nora Lares

From: noreply@formstack.com
Sent: Tuesday, June 4, 2019 5:48 PM
To: Planning Comments
Subject: Planning Application Comments Form

EXTERNAL EMAIL

formstack

Formstack Submission For: Planning Application Comments 2019
Submitted at 06/04/19 5:48 PM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	PRJ-76273
Position:	I SUPPORT the project and all related applications.
Name:	Andrea Kelley
Residential or Business Address:	8329 Fawn Heather Ct None Las Vegas, NV 89149-4518
Phone:	(702) 856-6619
Email:	andreakelley81@yahoo.com

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

10-11A

Nora Lares

From: noreply@formstack.com
Sent: Tuesday, June 4, 2019 6:49 PM
To: Planning Comments
Subject: Planning Application Comments Form

EXTERNAL EMAIL

formstack

Formstack Submission For: Planning Application Comments 2019
Submitted at 06/04/19 6:49 PM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	76273
Position:	I SUPPORT the project and all related applications.
Name:	William Hamaker
Residential or Business Address:	8337 Fawn Brook Ct Las Vegas, NV 89149
Phone:	(702) 738-1605
Email:	hdflht2000@gmail.com
Comments:	Support the variance.

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10-11A

Nora Lares

From: noreply@formstack.com
Sent: Tuesday, June 4, 2019 8:28 PM
To: Planning Comments
Subject: Planning Application Comments Form

EXTERNAL EMAIL

formstack

Formstack Submission For: Planning Application Comments 2019
Submitted at 06/04/19 8:28 PM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	Prj-76273
Position:	I SUPPORT the project and all related applications.
Name:	Tom Spindler
Residential or Business Address:	8208 Fawn Heather ct Las vegas, NV 89149
Phone:	(702) 469-4694
Email:	itsgoodtwobeking@yahoo.com

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10-11A

Nora Lares

From: noreply@formstack.com
Sent: Tuesday, June 4, 2019 10:57 PM
To: Planning Comments
Subject: Planning Application Comments Form

EXTERNAL EMAIL

formstack

Formstack Submission For: Planning Application Comments 2019
Submitted at 06/04/19 10:56 PM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	PRJ-76273
Position:	I SUPPORT the project and all related applications.
Name:	Deanne Barnes
Residential or Business Address:	8233 Deer Springs Way Las Vegas, NV 89149
Phone:	(702) 524-1534
Email:	dar2de2@cox.net
Comments:	It's a beautiful yard and we fully support the Variance. We wish everyone cared so much about the way their yards looked. This project does nothing to hurt anyone. Thank you.

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10-11A

Nora Lares

From: noreply@formstack.com
Sent: Thursday, June 6, 2019 6:58 AM
To: Planning Comments
Subject: Planning Application Comments Form

EXTERNAL EMAIL

formstack

Formstack Submission For: Planning Application Comments 2019
Submitted at 06/06/19 6:58 AM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	PRJ-76273
Position:	I SUPPORT the project and all related applications.
Name:	VALERIE WELLS
Residential or Business Address:	8224 FAWN BROOK CT 8224 FAWN BROOK CT LAS VEGAS, NV 89149
Phone:	(702) 449-4380
Email:	wellsvm@gmail.com

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10-11A

Nora Lares

From: noreply@formstack.com
Sent: Thursday, June 6, 2019 7:15 AM
To: Planning Comments
Subject: Planning Application Comments Form

EXTERNAL EMAIL

formstack

Formstack Submission For: Planning Application Comments 2019
Submitted at 06/06/19 7:14 AM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	PRJ-76273
Position:	I SUPPORT the project and all related applications.
Name:	Pamela Creager
Residential or Business Address:	8313 Antler Pines Court Las Vegas , NV 89149
Phone:	(702) 243-9125
Email:	pcreager444@gmail.com

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10-11A

Nora Lares

From: noreply@formstack.com
Sent: Thursday, June 6, 2019 9:56 AM
To: Planning Comments
Subject: Planning Application Comments Form

EXTERNAL EMAIL

formstack

Formstack Submission For: Planning Application Comments 2019
Submitted at 06/06/19 9:56 AM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	PRJ-76273
Position:	I SUPPORT the project and all related applications.
Name:	Amanda Akers
Residential or Business Address:	Residential 8213 fawn heather court Las Vegas , NV 89149
Phone:	(702) 466-5604
Email:	mandie9050@hotmail.com

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10-11A

Nora Lares

From: noreply@formstack.com
Sent: Tuesday, June 4, 2019 8:31 AM
To: Planning Comments
Subject: Planning Application Comments Form

EXTERNAL EMAIL

RECEIVED
JUN 04 2019
Dept of Planning
City of Las Vegas

formstack

Formstack Submission For: Planning Application Comments 2019
Submitted at 06/04/19 8:31 AM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	PRJ-76273
Position:	I SUPPORT the project and all related applications.
Name:	Drew Erickson
Residential or Business Address:	8312 Fawn Meadow Ave Las Vegas , NV 89149
Phone:	(702) 648-3235
Email:	centennialquilts@hotmail.com
Comments:	This project is done in an extremely attractive manner. The neighbor that shares that wall is very happy with it so I don't see any reason for anyone else to object. This project should most definitely be approved.

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10-11A

Nora Lares

From: noreply@formstack.com
Sent: Tuesday, June 4, 2019 8:46 AM
To: Planning Comments
Subject: Planning Application Comments Form

EXTERNAL EMAIL

RECEIVED
JUN 04 2019
Dept of Planning
City of Las Vegas

formstack

Formstack Submission For: Planning Application Comments 2019
Submitted at 06/04/19 8:46 AM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	PRJ-76273
Position:	I SUPPORT the project and all related applications.
Name:	Joseph Landolfi
Residential or Business Address:	6640 n Durango drive Las Vegas , NV 89149
Phone:	(702) 429-2807
Email:	jlandolfi.lv@gmail.com
Comments:	Having been in construction for 35 years, I see no problem with how this structure was built. It will have no negative impact on either property

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10-11A

Nora Lares

From: noreply@formstack.com
Sent: Tuesday, June 4, 2019 9:22 AM
To: Planning Comments
Subject: Planning Application Comments Form

EXTERNAL EMAIL

RECEIVED
JUN 04 2019
Dept of Planning
City of Las Vegas

formstack

Formstack Submission For: Planning Application Comments 2019
Submitted at 06/04/19 9:22 AM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	PRJ-76273
Position:	I SUPPORT the project and all related applications.
Name:	Laura Lewis
Residential or Business Address:	6025 Stanton Summit Dr N Las Vegas, NV 89081
Phone:	(702) 217-2115
Email:	laurshasidsues@yshoo.com
Comments:	I have seen what they built and it's absolutely beautiful and I completely support them!

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10-11A

Nora Lares

From: noreply@formstack.com
Sent: Tuesday, June 4, 2019 9:33 AM
To: Planning Comments
Subject: Planning Application Comments Form

RECEIVED
JUN 04 2019
Dept of Planning
City of Las Vegas

EXTERNAL EMAIL

formstack

Formstack Submission For: Planning Application Comments 2019
Submitted at 06/04/19 9:33 AM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	PRJ-76273
Position:	I SUPPORT the project and all related applications.
Name:	Mark Schwartz
Residential or Business Address:	8232 Fawn Meadow Ave Las Vegas, NV 89149
Phone:	(702) 395-9985
Email:	mschwartz57@cox.net
Comments:	I am Secretary/Treasurer of the HOA Board and fully support the approval of this application.

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10-11A

Nora Lares

From: noreply@formstack.com
Sent: Tuesday, June 4, 2019 10:02 AM
To: Planning Comments
Subject: Planning Application Comments Form

RECEIVED
JUN 04 2019
Dept of Planning
City of Las Vegas

EXTERNAL EMAIL

formstack

Formstack Submission For: Planning Application Comments 2019
Submitted at 06/04/19 10:02 AM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	PRJ-76273
Position:	I SUPPORT the project and all related applications.
Name:	Peter Howe
Residential or Business Address:	8300 Antler Pines CT Las Vegas, NV 89149
Phone:	(702) 818-0287
Email:	howe1946@att.net

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10-11A

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
76

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

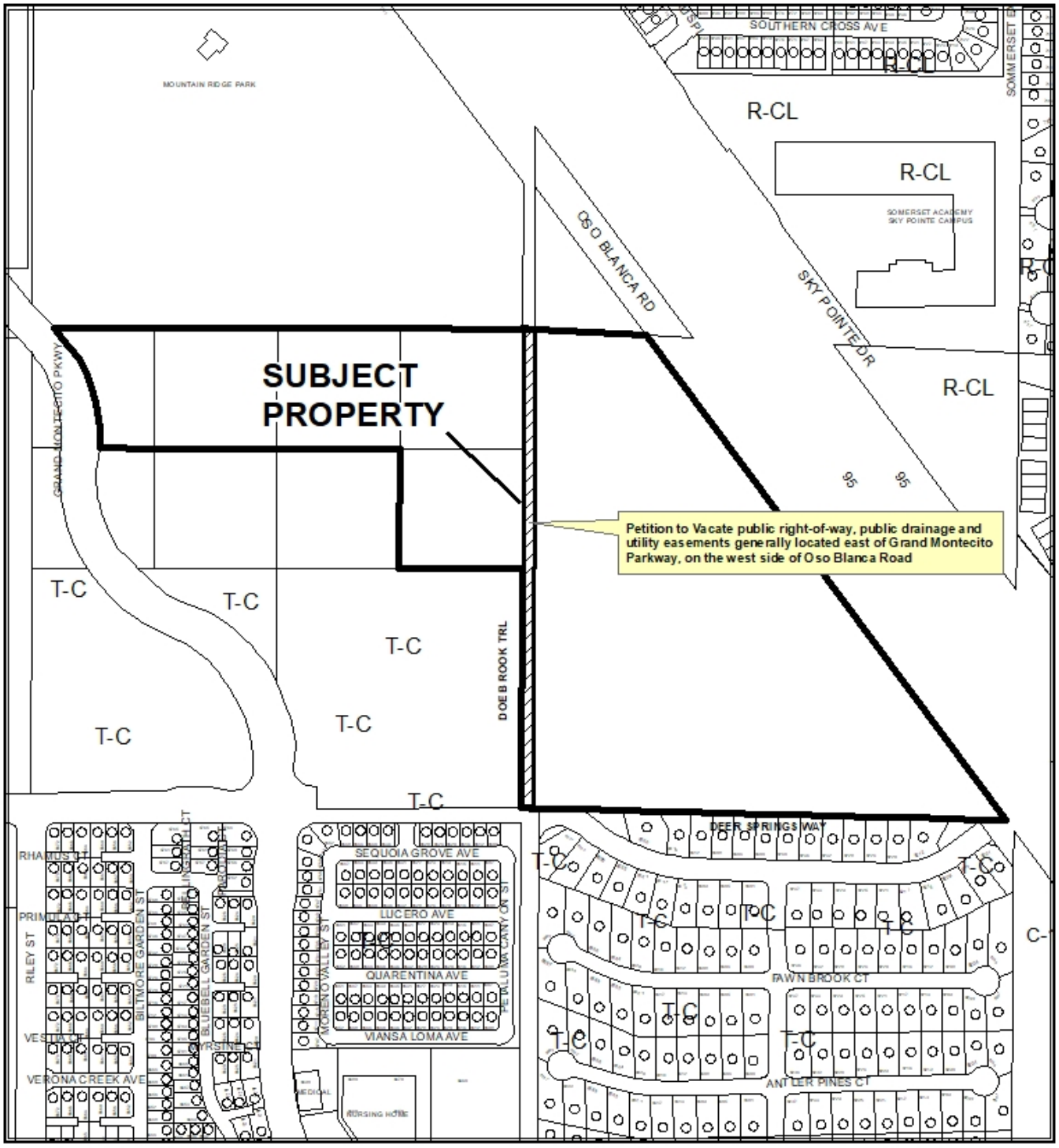
SUBJECT:
VAC-76340 - VACATION RELATED TO MOD-76339 - PUBLIC HEARING - APPLICANT/OWNER: KB HOME NV ACQUISITION, LLC - For possible action on a request for a Petition to Vacate public right-of-way, public drainage, public utility and patent easements generally located east of Grand Montecito Parkway, on the west side of Oso Blanca Road (APNs Multiple), Ward 6 (Fiore) [PRJ-76273]. The Planning Commission (5-0 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

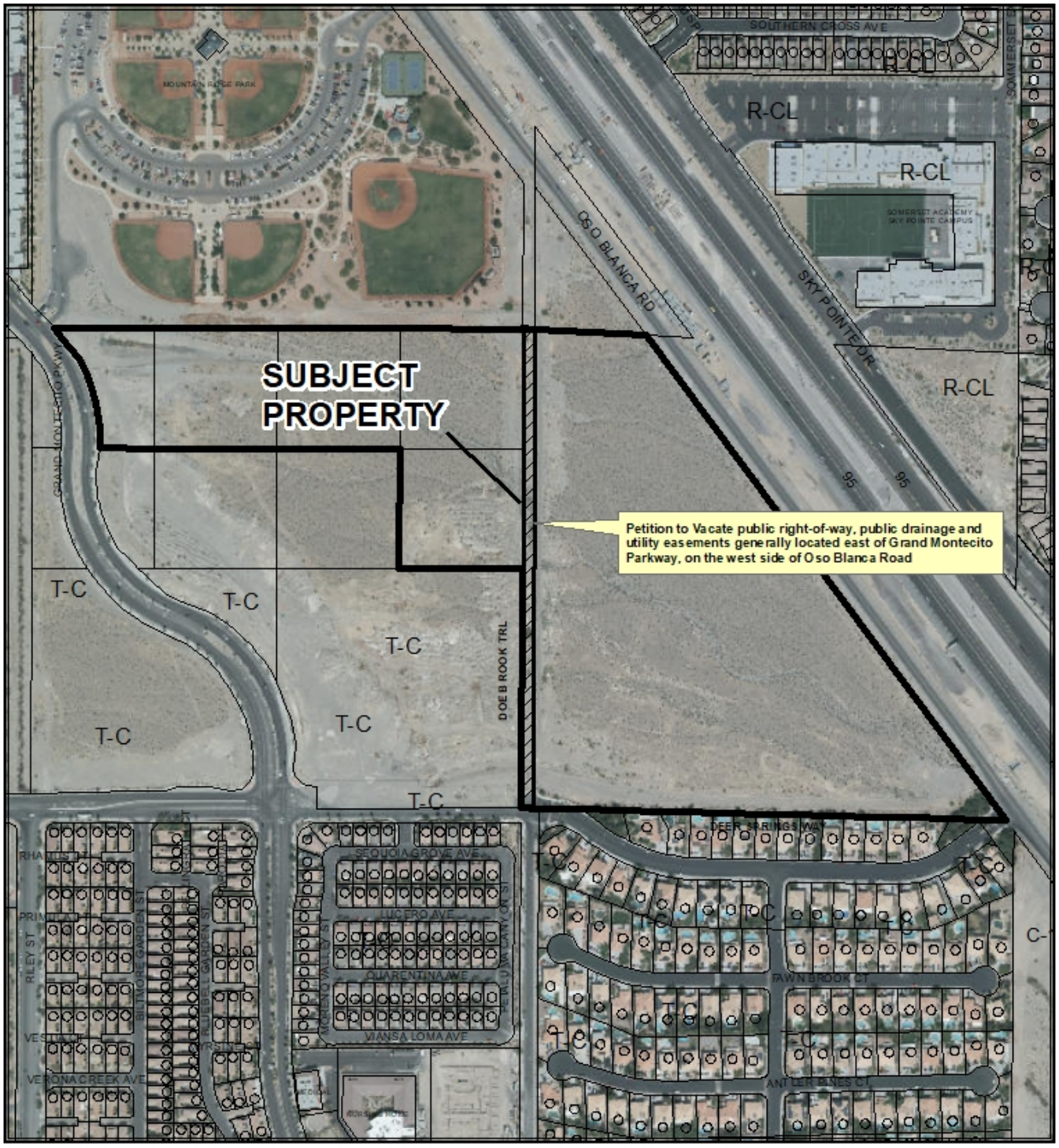
RECOMMENDATION:
The Planning Commission (5-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Location and Aerial Maps
3. Supporting Documentation
4. Justification Letter
5. Backup Submitted at the June 11, 2019 Planning Commission Meeting

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

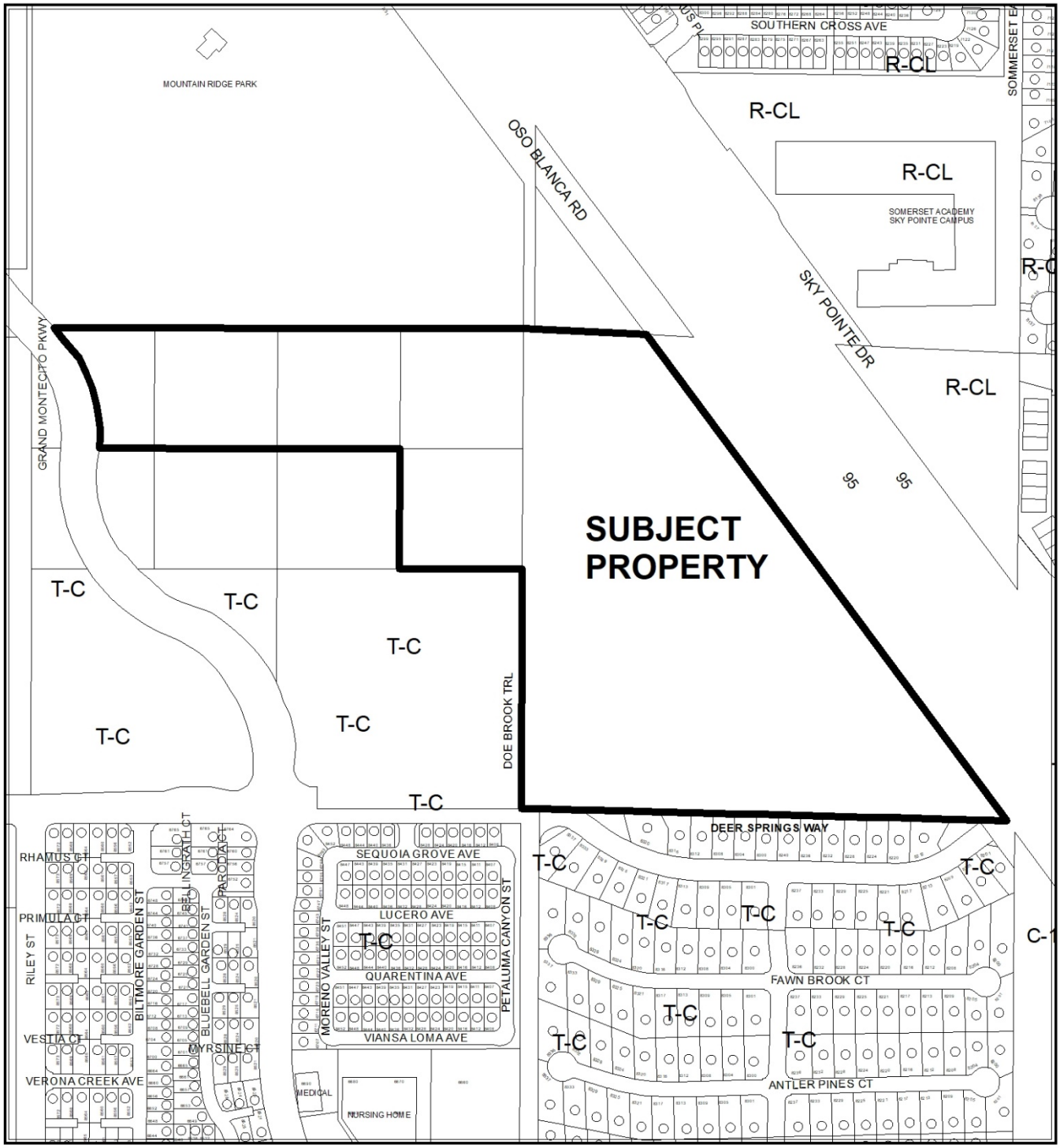


CASE: **VAC-76340 (PRJ-76273)**

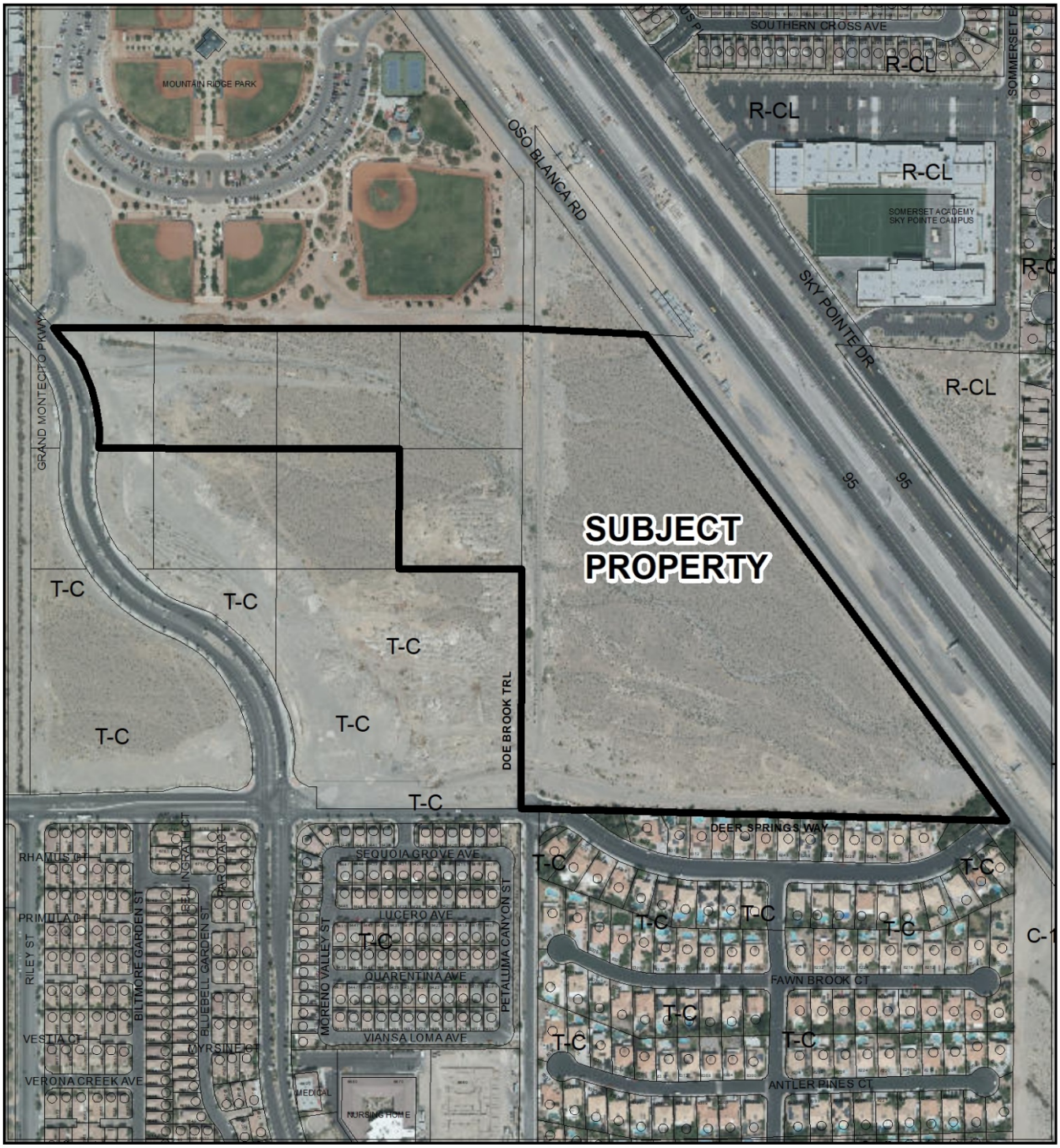


CASE: **VAC-76340 (PRJ-76273)**

0 310 620 Feet



CASE: VAC-76340 (PRJ-76273)



CASE: **VAC-76340 (PRJ-76273)**

0 310 620 Feet

N

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use
Case #
Meeting Date
Total Fee
Received By/Date

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) Vacation

Project Address (Location) Grand Montecito / Deer Springs

Project Name Montecito 60 **Proposed Use** Residential Subdivision

Assessor's Parcel #(s) 125-21-201-001 125-20-601-003; 125-20-603-001 thru 004; **Ward #** 6

General Plan: Existing TC Proposed NA **Zoning:** Existing UC-TC MC-TC Proposed M-TC

Additional Information Additional APN's 125-20-602-005; -002, -005

Property Owner KB Home NV Acquisition, LLC Contact Christa Bilbrey

Address 5795 W. Badura Ave., Suite 180 City Las Vegas State NV Zip 89118

E-mail cbilbrey@kbhome.com Phone 702-266-8466

Applicant KB Home Contact Christa Bilbrey

Address 5795 W. Badura Ave., Suite 180 City Las Vegas State NV Zip 89118

E-mail cbilbrey@kbhome.com Phone 702-266-8466

Representative Slater Hanifan Group Contact Roxanne Leigh

Address 5740 S. Arville St., Suite 216 City Las Vegas State NV Zip 89118

E-mail rleigh@shg-inc.com Phone 702-284-5300

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company? ☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official _____ **Partner(s)** _____

Partner(s) _____

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature _____

An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name Brian Kunec, President, KB Home Las Vegas Inc.

Subscribed and sworn before me County of Clark, State of Nevada by Brian Kunec on

This 15th day of February, 20 19.

C. Bilbrey

Notary Public in and for said County and State

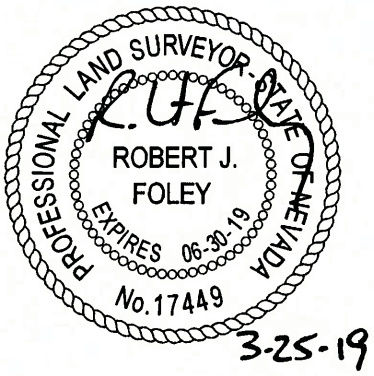
PRJ-76278
04/24/19

C. BILBREY
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 02-29-2020
Certificate No: 99-56803-1

EXHIBIT A-1

TRI-CORE SURVEYING, LLC
6761 WEST CHARLESTON BLVD.
LAS VEGAS, NV 89146

File: vac_PDE-20071211-04193.doc
By: RD
Date: March 13, 2019



EXPLANATION

THIS LEGAL DESCRIPTION DESCRIBES PARCELS OF LAND GENERALLY LOCATED EAST OF GRAND MONTECITO PARKWAY AND NORTH OF DEER SPRINGS WAY FOR DRAINAGE EASEMENT VACATION PURPOSES.

LEGAL DESCRIPTION

ALL OF THOSE CERTAIN DRAINAGE EASEMENTS GRANTED TO THE CITY OF LAS VEGAS BY DOCUMENT RECORDED DECEMBER 11, 2007 AS **INSTRUMENT No. 20071211-0004193 CLARK COUNTY OFFICIAL RECORDS**, LYING WITHIN THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN ON **"EXHIBIT B-1"**, ATTACHED HERETO AND MADE A PART HEREOF.

END OF DESCRIPTION

PRJ-76273
04/22/19

APN'S: 125-20-601-003, 125-20-602-002, 005
125-20-603-001, 002, & 125-21-201-001

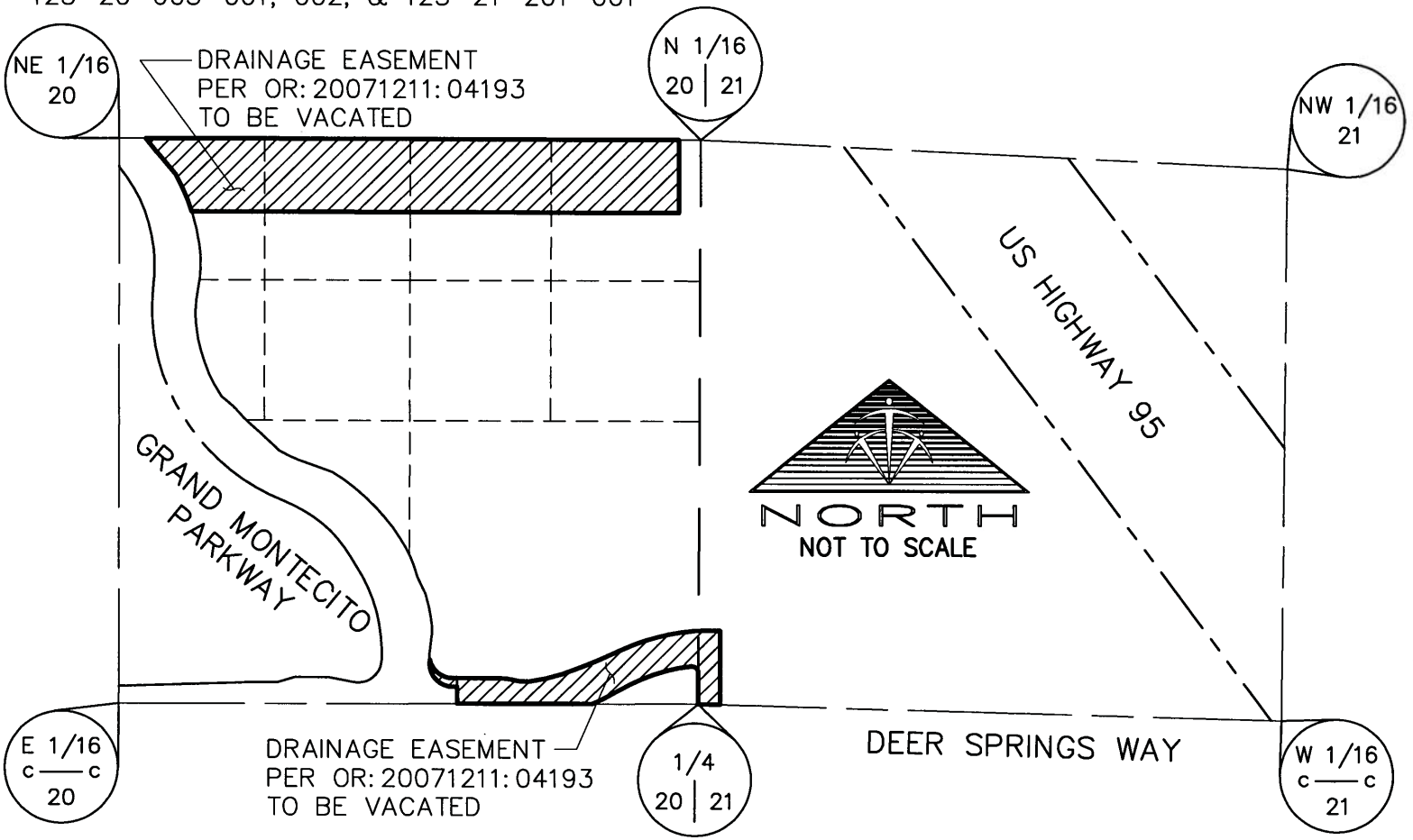


EXHIBIT B-1

PAGE 2 OF 2

08018.0012\vac_PDE-20071211-04193

TRI-CORE
SURVEYING, LLC

6761 WEST CHARLESTON BLVD
LAS VEGAS, NEVADA 89146
(702) 821-1554

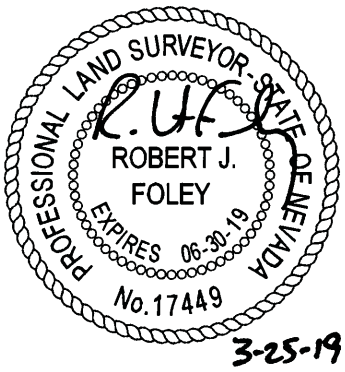
PRJ-76273
04/22/19

City Council - Page 1124

EXHIBIT A-2

TRI-CORE SURVEYING, LLC
6761 WEST CHARLESTON BLVD.
LAS VEGAS, NV 89146

File: vac_road esmnt-71-458.doc
By: RD
Date: March 14, 2019



EXPLANATION

THIS LEGAL DESCRIPTION DESCRIBES PARCELS OF LAND GENERALLY LOCATED EAST OF GRAND MONTECITO PARKWAY AND NORTH OF DEER SPRINGS WAY FOR ROADWAY EASEMENT VACATION PURPOSES.

LEGAL DESCRIPTION

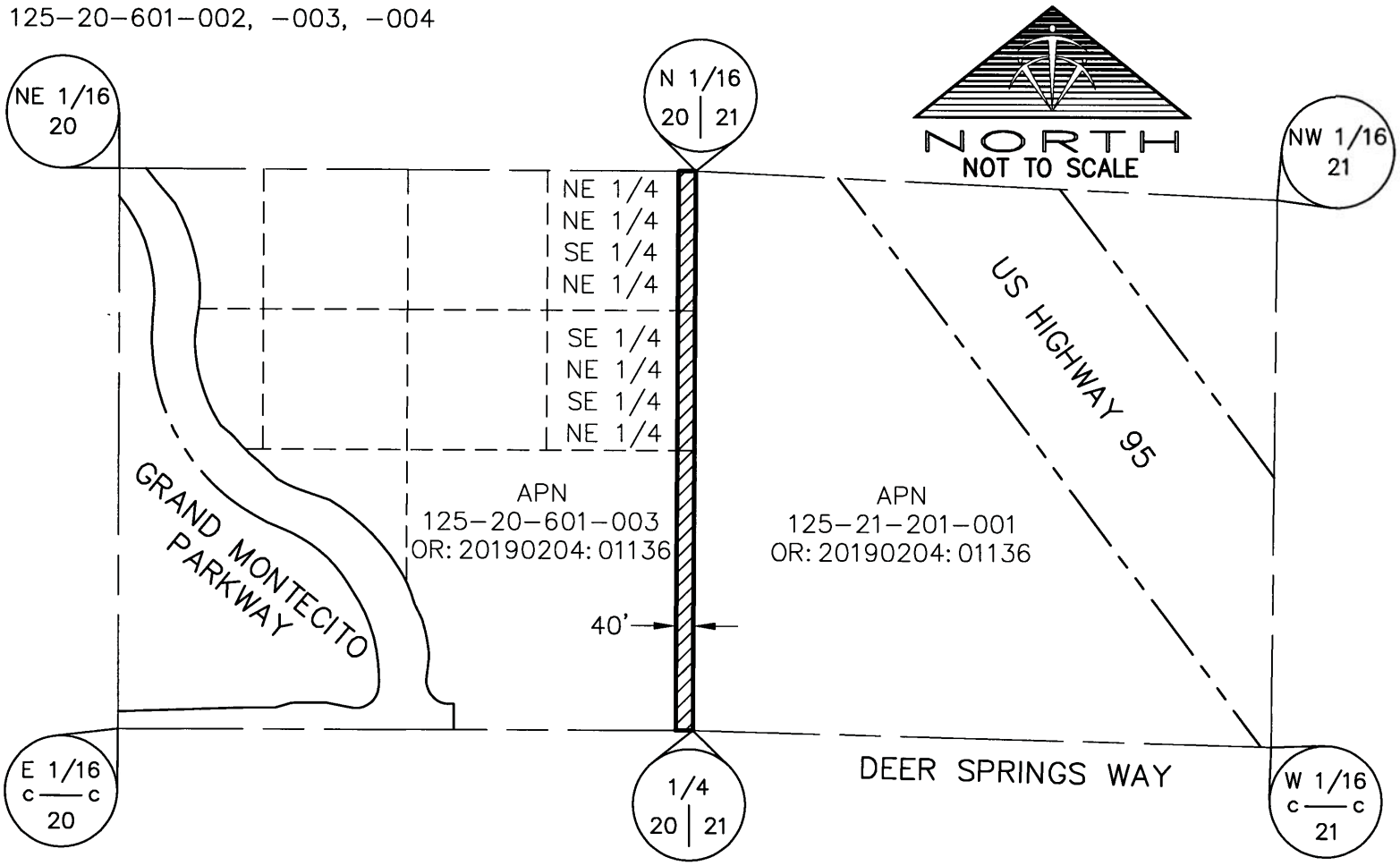
ALL OF THAT CERTAIN ROAD EASEMENT RESERVED BY GRANT, BARGAIN SALE DEED RECORDED AUGUST 26, 1953 IN **BOOK 71, PAGE 458 OF DEEDS, INSTRUMENT NO. 4112264 CLARK COUNTY OFFICIAL RECORDS**, LYING WITHIN THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

THE EAST 40.00 FEET OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 20, AS SHOWN ON **"EXHIBIT B-2"**, ATTACHED HERETO AND MADE A PART HEREOF.

END OF DESCRIPTION

PRJ-76273
04/22/19

APN: 125-20-601-002, -003, -004



ROAD EASEMENT RESERVED BY CLARK COUNTY PER OR: 71: 458 TO BE VACATED

EXHIBIT B-2

PAGE 2 OF 2

08018.0012\vac_road esmnt-71-458

TRI-CORE
SURVEYING, LLC

6761 WEST CHARLESTON BLVD
LAS VEGAS, NEVADA 89146
(702) 821-1554

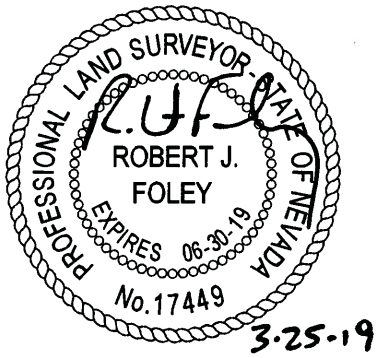
PRJ-76273
04/22/19

City Council - Page 1126

EXHIBIT A-3

TRI-CORE SURVEYING, LLC
6761 WEST CHARLESTON BLVD.
LAS VEGAS, NV 89146

File: vac_pat esmnt.doc
By: RD
Date: March 14, 2019



EXPLANATION

THIS LEGAL DESCRIPTION DESCRIBES PARCELS OF LAND GENERALLY LOCATED WEST INTERSTATE U.S. 95 AND NORTH OF DEER SPRINGS WAY FOR ROAD, PUBLIC UTILITIES AND FLOOD CONTROL EASEMENT VACATION PURPOSES.

LEGAL DESCRIPTION

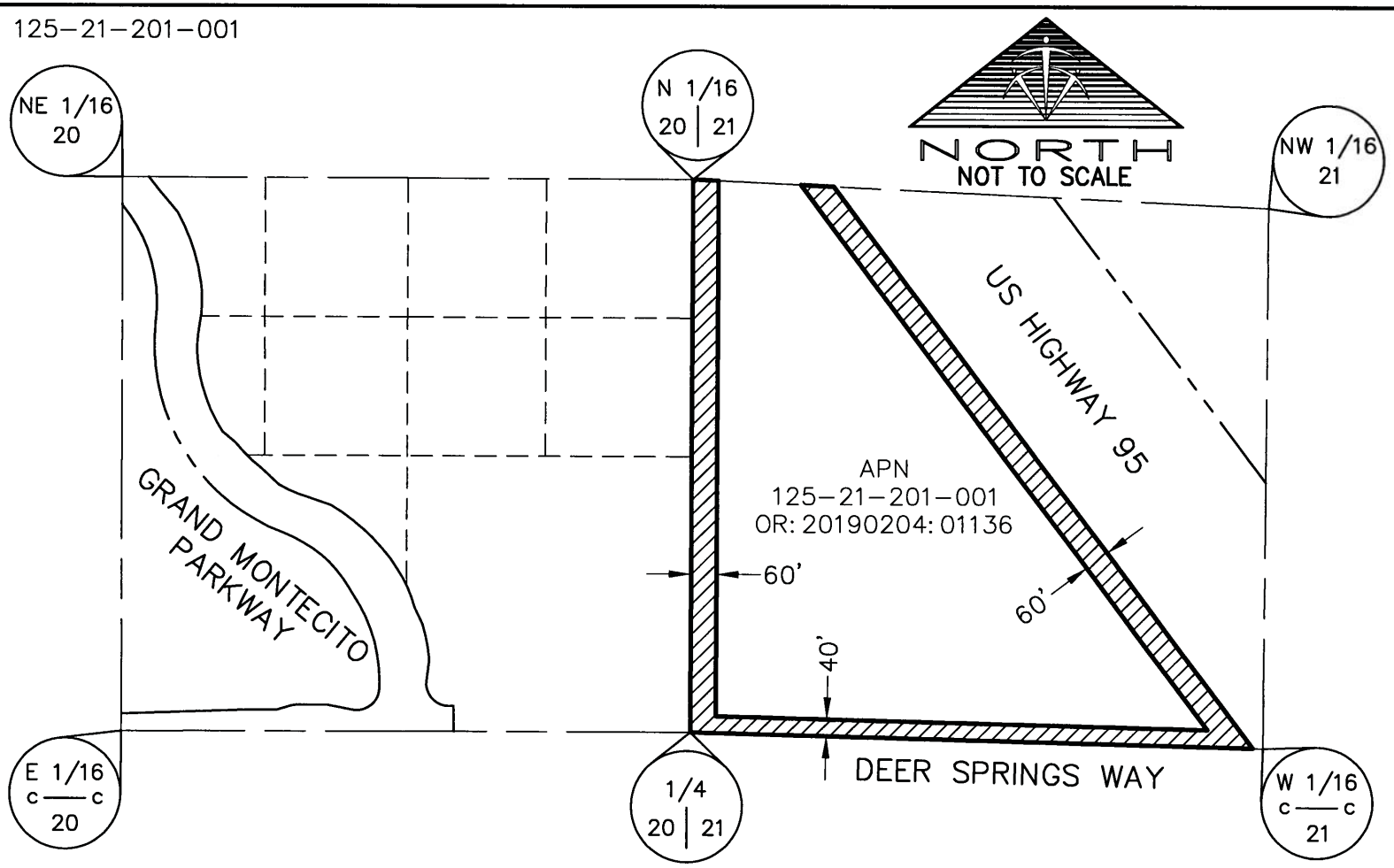
ALL OF THAT CERTAIN EASEMENT GRANTED TO THE CITY OF LAS VEGAS FOR ROAD, PUBLIC UTILITIES AND FLOOD CONTROL PURPOSES BY **U.S. PATENT No. 27-94-0024 RECORDED JULY 19, 1994 IN BOOK 940719 AS INSTRUMENT No. 01436 CLARK COUNTY OFFICIAL RECORDS**, LYING WITHIN THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 21, TOWNSHIP 19, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

AN EASEMENT 60.00 FEET IN WIDTH ALONG THE WEST BOUNDARY AND 40.00 FEET IN WIDTH ALONG THE SOUTH BOUNDARY OF THE SW1/4 OF THE NW1/4 OF SEC. 21, T. 19S., R. 60 E., MDM, AND 60 FEET IN WIDTH ALONG THE SOUTH BOUNDARY OF RIGHT-OF-WAY CC-018138 (ALONG THE SOUTH SIDE OF U.S. 95) AS TO THE AFOREMENTIONED PARCEL, AS SHOWN ON **"EXHIBIT B-3"**, ATTACHED HERETO AND MADE A PART HEREOF.

END OF DESCRIPTION

PRJ-76273
04/22/19

APN: 125-21-201-001



PATENT EASEMENT FOR ROAD, PUBLIC UTILITIES, AND FLOOD CONTROL PURPOSES PER OR: 940719:01436 TO BE VACATED

EXHIBIT B-3

PAGE 2 OF 2

08018.0012\vac_PDE-20071211-04193

TRI-CORE
SURVEYING, LLC

6761 WEST CHARLESTON BLVD
LAS VEGAS, NEVADA 89146
(702) 821-1554

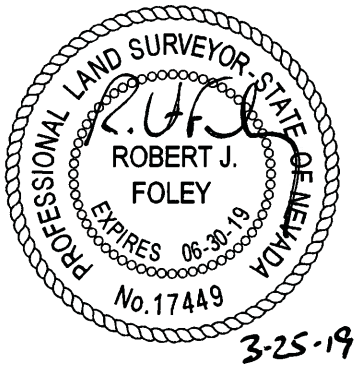
PRJ-76273
04/22/19

City Council - Page 1128

EXHIBIT A-4

TRI-CORE SURVEYING, LLC
6761 WEST CHARLESTON BLVD.
LAS VEGAS, NV 89146

File: vac_PDE-20170315-01545.doc
By: RD
Date: March 14, 2019



EXPLANATION

THIS LEGAL DESCRIPTION DESCRIBES PARCELS OF LAND GENERALLY LOCATED EAST OF GRAND MONTECITO PARKWAY AND NORTH OF DEER SPRINGS WAY FOR PUBLIC DRAINAGE EASEMENT VACATION PURPOSES.

LEGAL DESCRIPTION

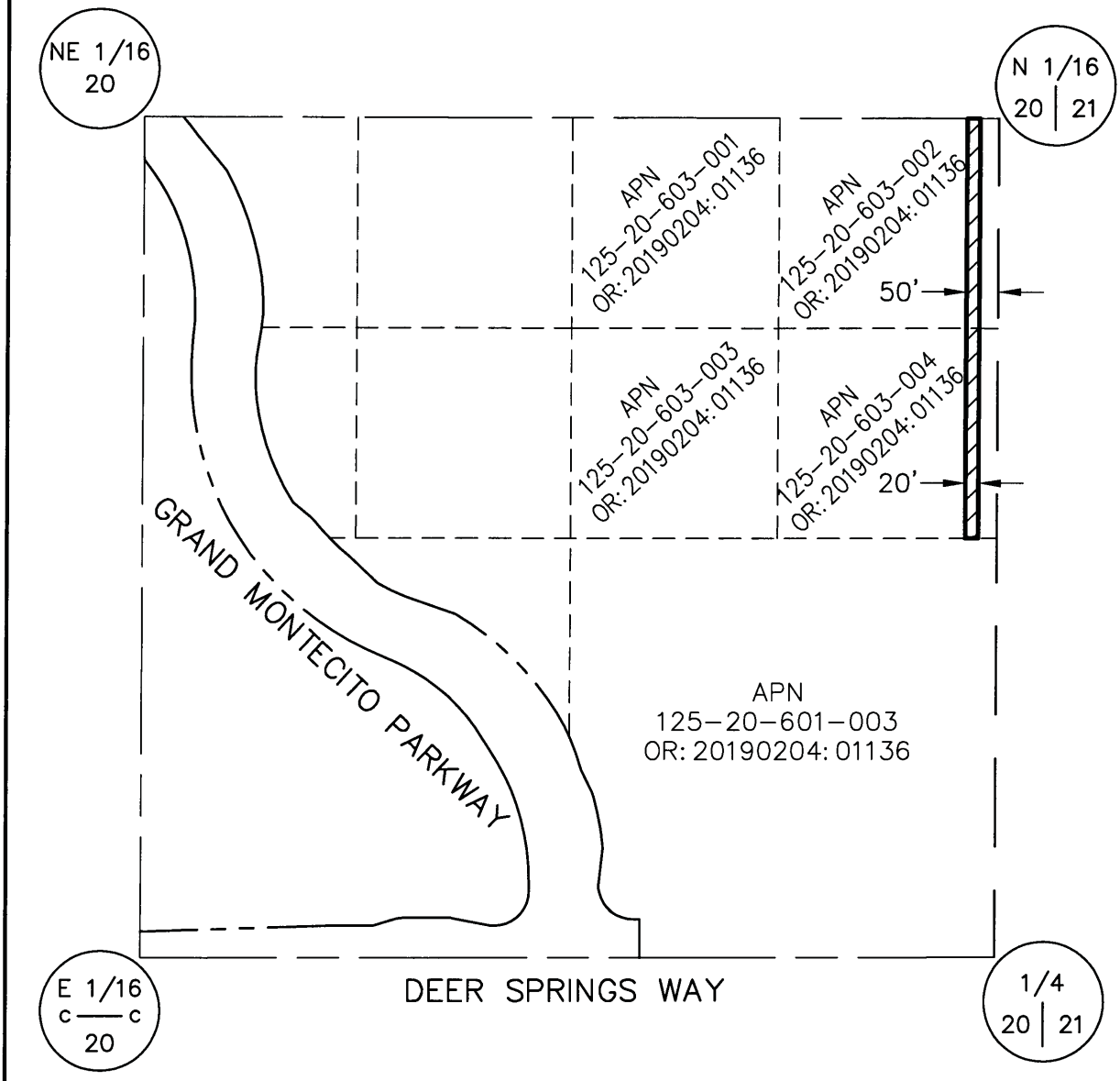
A PORTION OF THAT CERTAIN PUBLIC DRAINAGE EASEMENT RESERVED BY **INSTRUMENT No. 20170315-0001545 CLARK COUNTY OFFICIAL RECORDS**, LYING WITHIN THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

THE WEST 20.00 FEET OF THE EAST 50.00 FEET OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 20, AS SHOWN ON **"EXHIBIT B"**, ATTACHED HERETO AND MADE A PART HEREOF.

END OF DESCRIPTION

PRJ-76273
04/22/19

APN: 125-20-603-002, 004



PUBLIC DRAINAGE EASEMENT RESERVED
PER OR: 20170315: 01545 TO BE VACATED

NORTH
NOT TO SCALE

EXHIBIT B-4

PAGE 2 OF 2

08018.0012\vac_PDE-20170315-01545

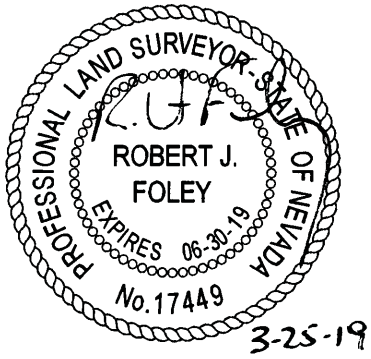
TRI-CORE
SURVEYING, LLC
6761 WEST CHARLESTON BLVD.
LAS VEGAS, NEVADA 89146
(702) 821-1554

PRJ-76273
04/22/19

EXHIBIT A-5

TRI-CORE SURVEYING, LLC
6761 WEST CHARLESTON BLVD.
LAS VEGAS, NV 89146

File: vac_RW-20071211-04194.doc
By: RD
Date: March 14, 2019



EXPLANATION

THIS LEGAL DESCRIPTION DESCRIBES PARCELS OF LAND GENERALLY LOCATED EAST OF GRAND MONTECITO PARKWAY AND NORTH OF DEER SPRINGS WAY FOR PUBLIC RIGHT-OF-WAY VACATION PURPOSES.

LEGAL DESCRIPTION

ALL OF THAT PORTION OF PUBLIC RIGHT-OF-WAY DESCRIBED AS **EXHIBIT "B"** OF **INSTRUMENT No. 20071211-0004194 CLARK COUNTY OFFICIAL RECORDS**, LYING WITHIN THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN ON **"EXHIBIT B-5"**, ATTACHED HERETO AND MADE A PART HEREOF.

END OF DESCRIPTION

PRJ-76273
04/22/19

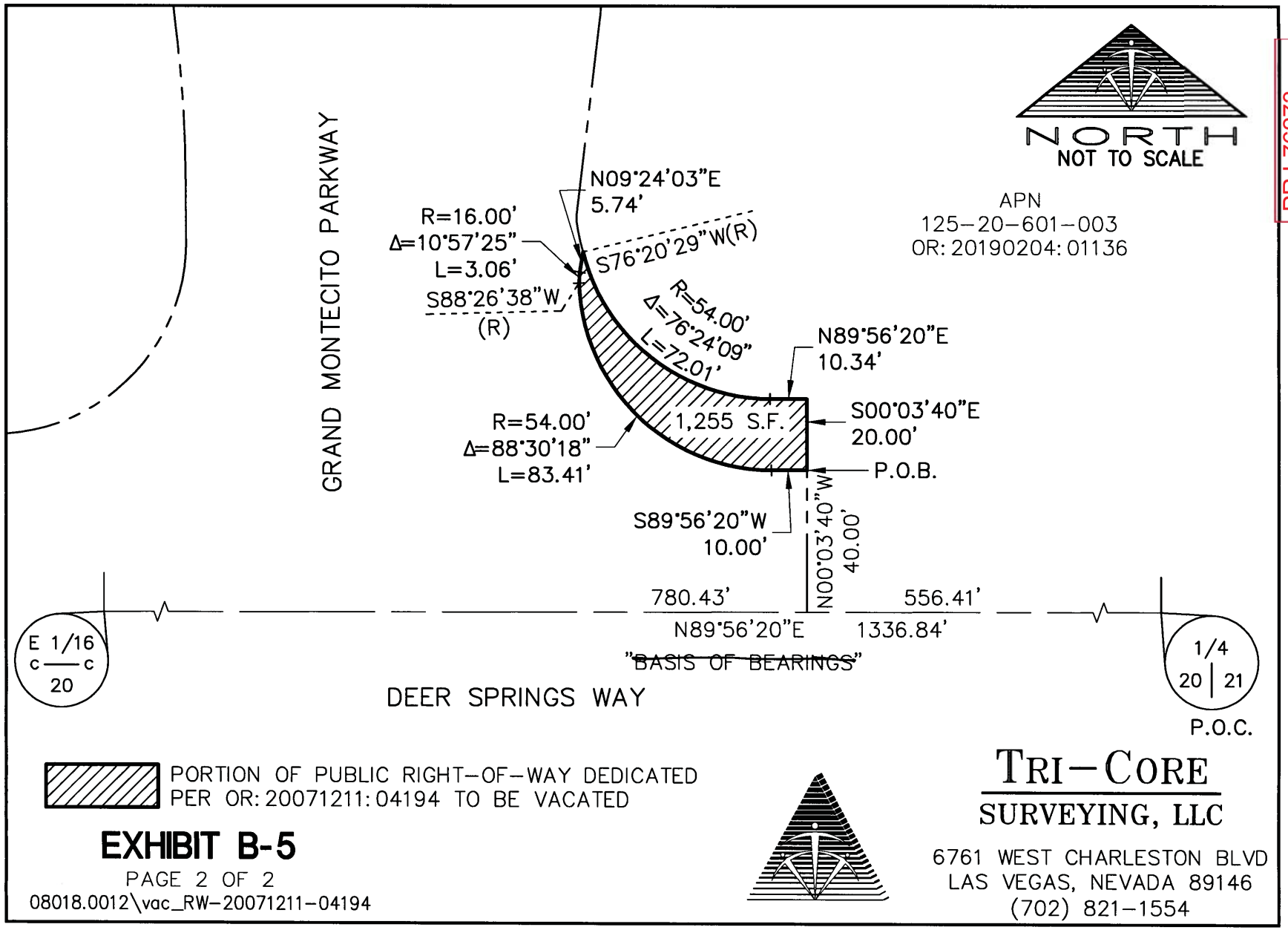


EXHIBIT B-5

PAGE 2 OF 2

08018.0012\vac_RW-20071211-04194

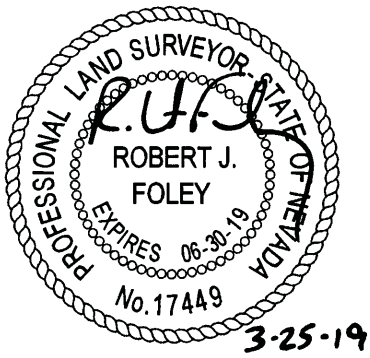
TRI-CORE
SURVEYING, LLC
6761 WEST CHARLESTON BLVD
LAS VEGAS, NEVADA 89146
(702) 821-1554

PRJ-76273
04/22/19

EXHIBIT A-6

TRI-CORE SURVEYING, LLC
6761 WEST CHARLESTON BLVD.
LAS VEGAS, NV 89146

File: vac_RW-20040614-02298.doc
By: RD
Date: March 14, 2019



EXPLANATION

THIS LEGAL DESCRIPTION DESCRIBES PARCELS OF LAND GENERALLY LOCATED EAST OF GRAND MONTECITO PARKWAY AND NORTH OF DEER SPRINGS WAY FOR PUBLIC RIGHT-OF-WAY VACATION PURPOSES.

LEGAL DESCRIPTION

A PORTION OF PUBLIC RIGHT-OF-WAY DESCRIBED AS **EXHIBIT "J"** OF **INSTRUMENT No. 20040614-0002298 CLARK COUNTY OFFICIAL RECORDS**, LYING WITHIN THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 20; THENCE ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER (SE 1/4), SOUTH 89°56'20" WEST, 556.41 FEET; THENCE DEPARTING SAID SOUTH LINE, NORTH 00°03'40" WEST, 20.01 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 89°56'20" WEST, 10.89 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 54.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, 84.36 FEET, THROUGH A CENTRAL ANGLE OF 89°30'16"; THENCE NORTH 00°33'24" WEST, 33.51 FEET; THENCE NORTH 06°45'55" EAST, 5.25 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF GRAND MONTECITO PARKWAY SAME BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 16.00 FEET TO WHICH A RADIAL LINE BEARS NORTH 83°14'05" WEST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE, 1.97 FEET, THROUGH A CENTRAL ANGLE OF 07°03'48" TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 54.00 FEET TO WHICH A RADIAL LINE BEARS SOUTH 83°14'10" WEST; THENCE CONTINUING SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY AND THE ARC OF SAID CURVE, 9.19 FEET, THROUGH A CENTRAL ANGLE OF 09°45'05"; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 09°24'03" WEST, 5.74 FEET TO THE BEGINNING OF A CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 16.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, 3.06 FEET, THROUGH A CENTRAL ANGLE OF 10°57'25" TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 54.00 FEET TO WHICH A RADIAL LINE BEARS SOUTH 88°26'38" WEST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, 83.41 FEET, THROUGH A CENTRAL ANGLE OF 88°30'18"; THENCE NORTH 89°56'20" EAST, 10.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF GRAND MONTECITO PARKWAY; THENCE ALONG SAID RIGHT-OF-WAY LINE, SOUTH 00°03'40" EAST, 19.99 FEET TO THE **POINT OF BEGINNING**, AS SHOWN ON **"EXHIBIT B-6"**, ATTACHED HERETO AND MADE A PART HEREOF.

CONTAINING AN AREA OF 1,370 SQUARE FEET

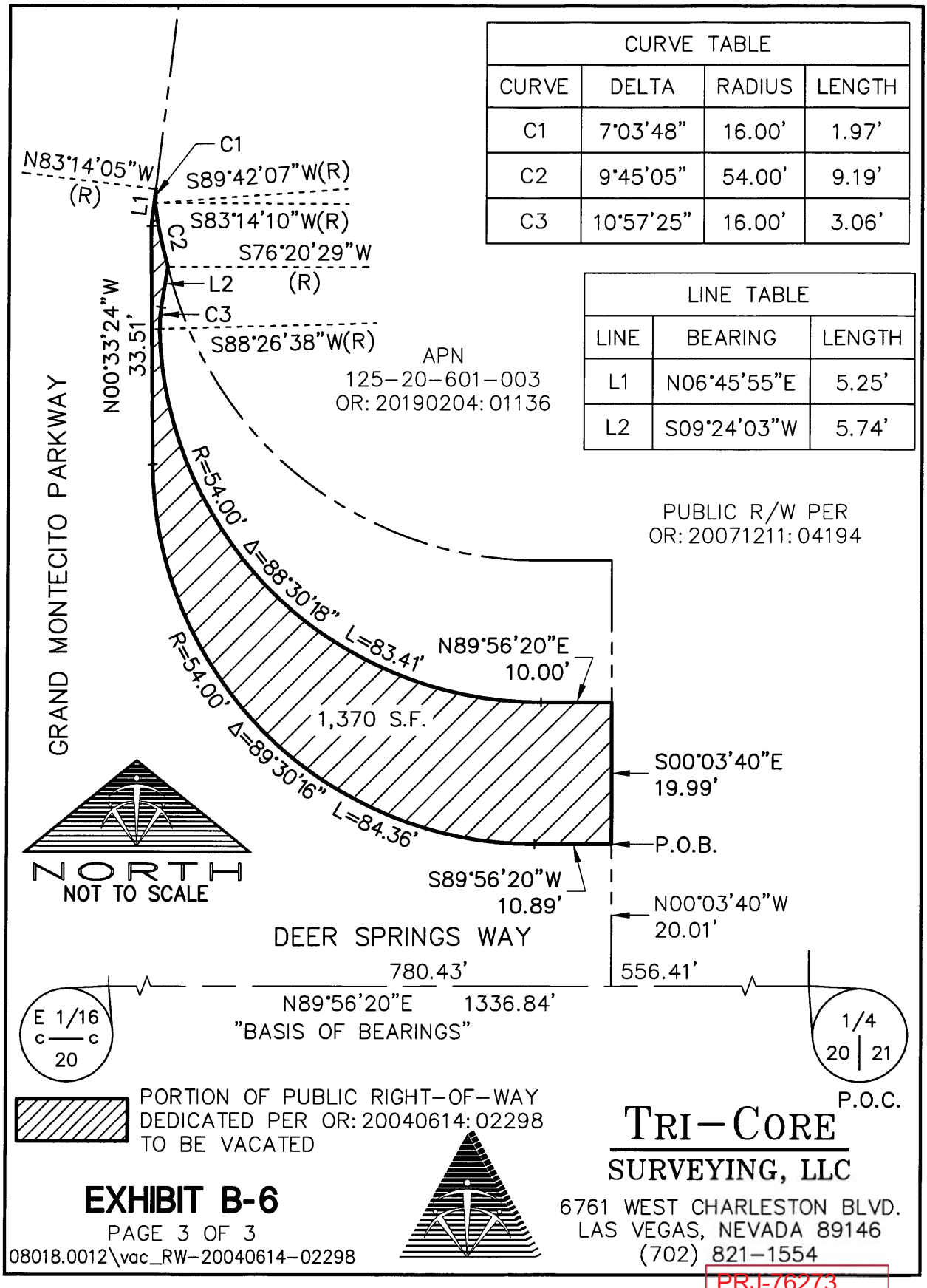
PRJ-76273
04/22/19

BASIS OF BEARINGS

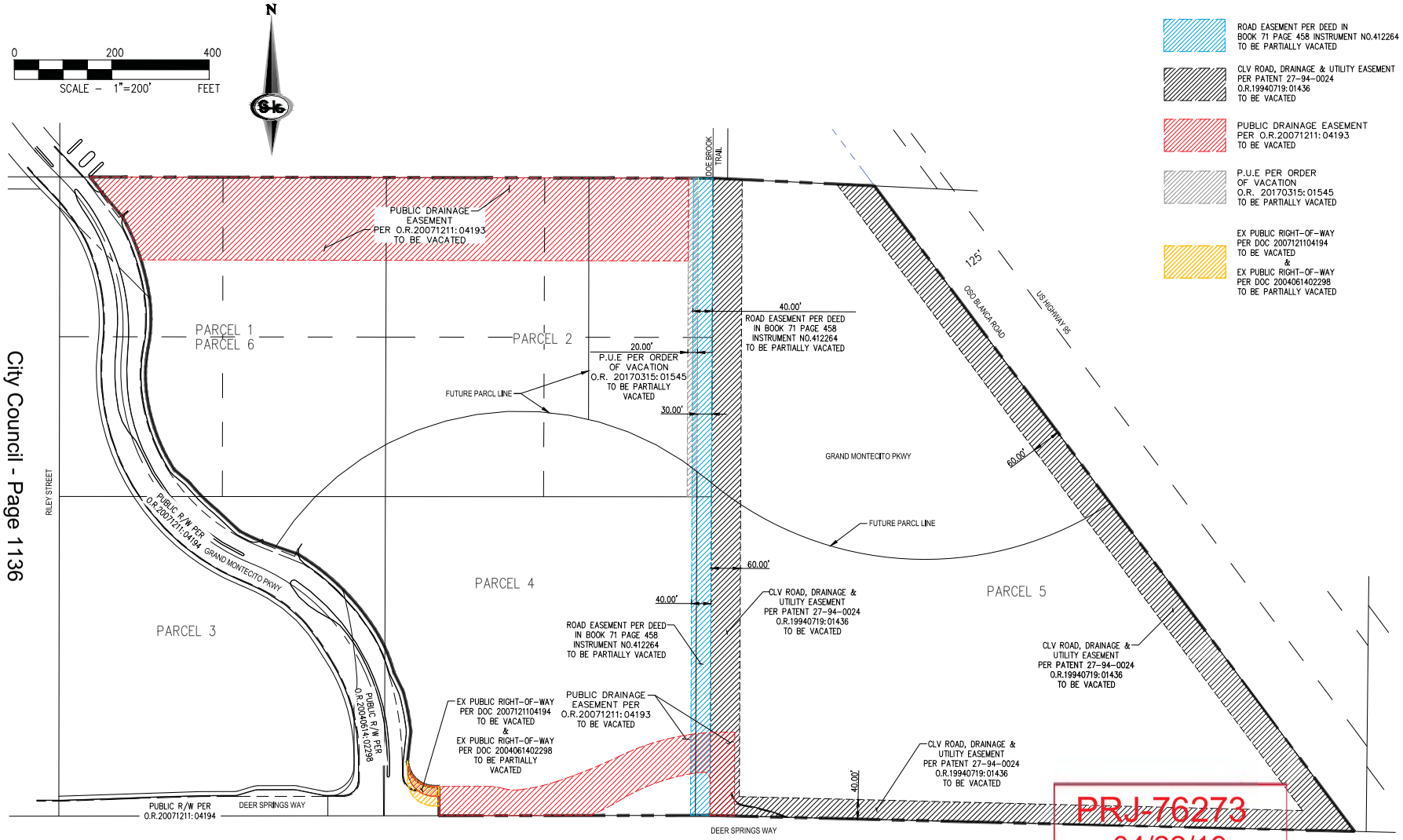
NORTH 89°56'20" EAST, BEING THE BEARING OF THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN BY MAP THEREOF ON FILE IN THE CLARK COUNTY RECORDER'S OFFICE IN FILE 118, PAGE 89 OF SURVEYS.

END OF DESCRIPTION

PRJ-76273
04/22/19



PRJ-76273
04/22/19



City Council - Page 1136

j:\kbh1805-000 montecito 60\dwg\entitlements\vs\190418 montecito 60 clv public vacations & private relings exhibits.dwg 4/22/2019 10:17 AM Andy Madrid

SLATER HANIFAN GROUP
CONSULTING ENGINEERS & PLANNERS
5740 S. ARVILLE STREET #216, LAS VEGAS, NV 89118
PHONE (702) 2944-5300 FAX (702) 2944-5399

NO.	DESCRIPTION	DATE	BY	APP. DATE	APP

KB HOME

MONTECITO 60

CITY OF LAS VEGAS PUBLIC VACATIONS EXHIBIT

DATE:	4/22/19
DRAFTER:	AM
DESIGNER:	HN
CHECKED:	MAK
PROJECT NO.	KBH1805-000

EXH-1
SHEET 1 OF 1

ALTA/NSPS LAND TITLE SURVEY

A PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 20, TOGETHER WITH A PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 21, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

SCHEDULE B – SECTION TWO EASEMENTS AND EXCEPTIONS

THE EASEMENTS AND OTHER RECORDED DATA SHOWN HEREON, WERE OBTAINED FROM FIRST AMERICAN TITLE COMPANY COMMITMENT FOR TITLE INSURANCE No. NSC-914875-HHLV DATED JUNE 22, 2018. THE SURVEYOR HAS NOT MADE AN INDEPENDENT TITLE SEARCH AND HAS RELIED ON THESE SUPPLIED DOCUMENTS AND SPECIFICALLY DISCLAIMS ANY ITEMS NOT SHOWN WHICH MAY BE OF RECORD OR NOT OF RECORD THAT MAY AFFECT THE PROPERTY SHOWN ON THIS SURVEY.

⬡ DENOTES PLOTTABLE EASEMENTS AND EXCEPTIONS

18. RESERVATIONS AND PROVISIONS AS CONTAINED IN THE PATENT FROM THE STATE OF NEVADA, RECORDED DECEMBER 17, 1928, IN BOOK 13 OF DEEDS, PAGE 362, AS INSTRUMENT NO. 29660.
AFFECTS PARCELS 1, 2, 3, 4 AND 6 **(NO EASEMENTS, RESERVES MINERAL RIGHTS)**

⬡19. ALL OF THE OIL, GAS, MINERALS AND MINERAL SUBSTANCES OF EVERY SORT AND DESCRIPTION UNDERLYING THE SURFACE OF THE LAND AS RESERVED IN A DOCUMENT RECORDED AUGUST 26, 1953 IN BOOK 71 OF DEEDS, PAGE 458 AS INSTRUMENT NO. 412264 AND A RESERVATION OF ROADWAY EASEMENT OVER THE EAST 40 FEET OF PARCEL 4 AS CONTAINED IN THE ABOVE INSTRUMENT.
AFFECTS PARCELS 1, 2, 3, 4 AND 6

20. PROVISIONS, RECITED ON THE DEDICATION STATEMENT ON THE PARCEL MAP RECORDED DECEMBER 04, 1984 IN BOOK 2031 AS INSTRUMENT NO. 1990092 OF OFFICIAL RECORDS, IN FILE 45, PAGE 15 OF PARCEL MAPS.
(AFFECTS PARCEL 2) **(PUBLIC STREETS DEDICATED PER THIS MAP HAVE BEEN VACATED)**

21. EASEMENTS AS SHOWN AND/OR DEDICATED UPON THE PARCEL MAP, RECORDED IN FILE 45, PAGE 15 OF PARCEL MAPS.
(AFFECTS PARCEL 2) **(PUBLIC STREETS DEDICATED PER THIS MAP HAVE BEEN VACATED)**

22. PROVISIONS, RECITED ON THE DEDICATION STATEMENT ON THE PARCEL MAP RECORDED DECEMBER 04, 1984 IN BOOK 2031 AS INSTRUMENT NO. 1990093 OF OFFICIAL RECORDS, IN FILE 45, PAGE 16 OF PARCEL MAPS.
(AFFECTS PARCELS 1 AND 6) **(PUBLIC STREETS DEDICATED PER THIS MAP HAVE BEEN VACATED)**

23. EASEMENTS AS SHOWN AND/OR DEDICATED UPON THE PARCEL MAP, RECORDED IN FILE 45, PAGE 16 OF PARCEL MAPS.
(AFFECTS PARCELS 1 AND 6) **(PUBLIC STREETS DEDICATED PER THIS MAP HAVE BEEN VACATED)**

⬡24. AN EASEMENT AND RIGHT-OF-WAY FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, RENEWAL, RECONSTRUCTION, AND REMOVAL OF PIPELINES FOR CONDUCTING WATER WITH THE RIGHT OF INGRESS AND EGRESS, AS CONVEYED TO LAS VEGAS VALLEY WATER DISTRICT, A QUASI-MUNICIPAL CORPORATION, BY AN INSTRUMENT RECORDED SEPTEMBER 29, 1993, IN BOOK 930929 AS INSTRUMENT NO. 01372 OF OFFICIAL RECORDS, OVER A PORTION OF THE LAND.
(AFFECTS PARCEL 4)

25. COVENANTS, CONDITIONS, AND RESTRICTIONS IN A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF LAS VEGAS AND MONTECITO TOWN CENTER, LLC FOR THE MONTECITO TOWN CENTER RECORDED MAY 1, 2002, IN BOOK 20020501 AS INSTRUMENT NO. 02542 OF OFFICIAL RECORDS.
(AFFECTS PARCELS 1, 2, 3, 4 AND 6) **(NO PLOTTABLE EASEMENTS)**

⬡26. AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AUGUST 22, 2002 IN BOOK 20020822 AS INSTRUMENT NO. 00707 OF OFFICIAL RECORDS.
DOCUMENT ALSO RECORDED SEPTEMBER 16, 2002 IN BOOK 20020916 AS INSTRUMENT NO. 00758 OF OFFICIAL RECORDS.
(AFFECTS PARCELS 3 AND 4)

⬡27. AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED SEPTEMBER 25, 2002 IN BOOK 20020925 AS INSTRUMENT NO. 00686 OF OFFICIAL RECORDS.
(AFFECTS PARCELS 3 AND 4)

⬡28. COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS IN AN EASEMENT AND RIGHT-OF-WAY RECORDED MARCH 18, 2003, IN BOOK 20030318 AS INSTRUMENT NO. 00918 OF OFFICIAL RECORDS.
(AFFECTS PARCELS 3 AND 4)

⬡29. ANY PRIVATE EASEMENTS OR LESSER RIGHTS TOGETHER WITH THE RIGHTS, IF ANY, OF THE CITY OF LAS VEGAS AND/OR THE COUNTY OF CLARK , PUBLIC UTILITIES OR SPECIAL DISTRICTS, WHICH MAY NOT HAVE BEEN AFFECTED BY THE PROCEEDINGS VACATING THOSE PORTIONS OF WITTIG AVENUE, CLARENCE AVENUE, RILEY STREET AND BONITA VISTA STREET AS THE SAME WAS RECORDED JUNE 30, 2003 IN BOOK 20030630 AS INSTRUMENT NO. 06908 OF OFFICIAL RECORDS.

DOCUMENT RE-RECORDED JUNE 14, 2004 IN BOOK 20040614 AS INSTRUMENT NO. 02063 OF OFFICIAL RECORDS.
(AFFECTS PARCELS 1, 2 AND 6) **(NO EASEMENTS RESERVED)**

⬡30. A DOCUMENT ENTITLED "AFFIDAVIT OF WAIVER AND CONSENT IN CONNECTION WITH THE CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 1502" RECORDED NOVEMBER 6, 2003 IN BOOK 20031106 AS INSTRUMENT NO. 00764 OF OFFICIAL RECORDS.
(AFFECTS PARCEL 1, 2, 3, 4 AND 5) **(NO EASEMENTS)**

⬡31. ANY PRIVATE EASEMENTS OR LESSER RIGHTS TOGETHER WITH THE RIGHTS, IF ANY, OF THE CITY OF LAS VEGAS AND/OR THE COUNTY OF CLARK , PUBLIC UTILITIES OR SPECIAL DISTRICTS, WHICH MAY NOT HAVE BEEN AFFECTED BY THE PROCEEDINGS VACATING VACATION OF A DEDICATED RIGHT-OF-WAY AS THE SAME WAS RECORDED MARCH 15, 2017 IN BOOK 20170315 AS INSTRUMENT NO. 01545 OF OFFICIAL RECORDS.
(AFFECTS LOTS 1 AND 4 OF PARCEL 2)

⬡32. COVENANTS, CONDITIONS, AND RESTRICTIONS IN A CITY OF LAS VEGAS NOTICE OF ZONING ACTION RECORDED MARCH 20, 2017, IN BOOK 20170320 AS INSTRUMENT NO. 01802 OF OFFICIAL RECORDS.
(AFFECTS LOTS 1 AND 4 OF PARCEL 2) **(PUBLIC NOTICE OF STREET VACATION)**

THE FOLLOWING ITEMS 19 THROUGH 27 AFFECTS PARCEL 5:

33. COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS IN A HIGHWAY EASEMENT DEED RECORDED JUNE 22, 1990, IN BOOK 900622 AS INSTRUMENT NO. 01101 OF OFFICIAL RECORDS. **(DOES NOT AFFECT SUBJECT PROPERTY)**

⬡34. RESERVATIONS AND PROVISIONS AS CONTAINED IN PATENT FROM THE UNITED STATES OF AMERICA, RECORDED JULY 19, 1994, IN BOOK 940719 OF OFFICIAL RECORDS, AS INSTRUMENT NO. 01436.

⬡35. AN EASEMENT FORA ROAD, LANDSCAPE AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED AUGUST 1, 1996 IN BOOK 960801 AS INSTRUMENT NO. 00381 OF OFFICIAL RECORDS.
A DOCUMENT ENTITLED "ASSIGNMENT OF RIGHT OF WAY GRANT FOR LANDSCAPE PURPOSES" RECORDED AUGUST 12, 1997 IN BOOK 970812 AS INSTRUMENT NO. 00478 OF OFFICIAL RECORDS.

36. A DOCUMENT ENTITLED "ENCROACHMENT AGREEMENT" RECORDED JULY 23, 1997 IN BOOK 970723 AS INSTRUMENT NO. 01481 OF OFFICIAL RECORDS. **(DOES NOT AFFECT SUBJECT PROPERTY)**

⬡37. AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED DECEMBER 14, 2006 IN BOOK 20061214 AS INSTRUMENT NO. 02961 OF OFFICIAL RECORDS.

⬡38. ANY PRIVATE EASEMENTS OR LESSER RIGHTS TOGETHER WITH THE RIGHTS, IF ANY, OF THE CITY OF LAS VEGAS AND/OR THE COUNTY OF CLARK , PUBLIC UTILITIES OR SPECIAL DISTRICTS, WHICH MAY NOT HAVE BEEN AFFECTED BY THE PROCEEDINGS VACATING PORTIONS OF THE LAND AS THE SAME WAS RECORDED DECEMBER 11, 2007 IN BOOK 20071211 AS INSTRUMENT NO. 04192 OF OFFICIAL RECORDS.

⬡39. COVENANTS, CONDITIONS, EASEMENTS (RESERVED) AND RESTRICTIONS IN A ORDER OF VACATION RECORDED DECEMBER 11, 2007, IN BOOK 20071211 AS INSTRUMENT NO. 04192 OF OFFICIAL RECORDS.

⬡40. A DOCUMENT ENTITLED "RIGHT OF WAY GRANT FOR DRAINAGE PURPOSES" RECORDED DECEMBER 11, 2007 IN BOOK 20071211 AS INSTRUMENT NO. 04193 OF OFFICIAL RECORDS.

41. A DOCUMENT ENTITLED "ENCROACHMENT AGREEMENT" RECORDED DECEMBER 13, 2007 IN BOOK 20071213 AS INSTRUMENT NO. 00269 OF OFFICIAL RECORDS. **(ALLOWS FOR LANDSCAPING WITHIN PUBLIC RIGHT-OF-WAY)**

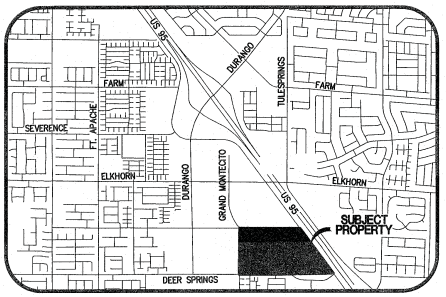
THE FOLLOWING MATTERS AFFECT PARCEL 7:

42. RESERVATIONS AND PROVISIONS AS CONTAINED IN THE PATENT FROM THE STATE OF NEVADA, RECORDED FEBRUARY 14, 1929, IN BOOK 14, PAGES 23 AND 24 OF DEED RECORDS, AS INSTRUMENT NO. 30370. **(RESERVES MINERAL RIGHTS)**

43. LACK OF ANY AND ALL ABUTTER'S RIGHTS WITH NO RIGHT OF EASEMENT OF ACCESS THERETO IN A FINAL ORDER OF CONDEMNATION RECORDED AUGUST 30, 1995, IN BOOK 950830 AS INSTRUMENT NO. 01103 OF OFFICIAL RECORDS. **(WITHIN US-95 RIGHT-OF-WAY)**

44. THE EFFECT OF A MAP PURPORTING TO SHOW THE LAND AND OTHER PROPERTY, FILED IN BOOK 82, PAGE 86 OF RECORD OF SURVEYS. **(DOES NOT AFFECT SUBJECT PROPERTY)**

45. COVENANTS, CONDITIONS, AND RESTRICTIONS IN A CITY OF LAS VEGAS NOTICE OF ZONING ACTION RECORDED MARCH 06, 2013, IN BOOK 20130306 AS INSTRUMENT NO. 00449 OF OFFICIAL RECORDS. **(DOES NOT AFFECT SUBJECT PROPERTY)**



VICINITY MAP
NOT TO SCALE

LEGAL DESCRIPTION

PARCEL 1:
THAT PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., DESCRIBED AS FOLLOWS:

LOTS 1, 2, 3 AND 4, AS SHOWN BY MAP THEREOF ON FILE IN FILE 45 OF PARCEL MAPS, PAGE 16, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

TOGETHER WITH THOSE PORTIONS OF WITTIG AVENUE, CLARENCE AVENUE, RILEY STREET AND BONITA VISTA STREET AS VACATED BY THE CITY OF LAS VEGAS IN AN ORDER OF VACATION RECORDED JUNE 30, 2003 IN BOOK 20030630 AS INSTRUMENT NO. 06908 AND RERECORDED JUNE 14, 2004 IN BOOK 20040614 AS INSTRUMENT NO. 02063 OF OFFICIAL RECORDS.

EXCEPTING FROM LOTS 1, 2, 3 AND 4, THAT PORTION AS CONVEYED TO THE CITY OF LAS VEGAS BY THAT CERTAIN GRANT DEED RECORDED JUNE 30, 2003 IN BOOK 20030630 AS INSTRUMENT NO. 06913 AND RE-RECORDED JUNE 14 2004 IN BOOK 20040614 AS INSTRUMENT NO. 02298 OF OFFICIAL RECORDS.

ALSO, EXCEPTING THOSE PORTIONS OF LOTS 2 AND 3, CLARENCE AVENUE AND RILEY STREET AS CONVEYED TO THE CITY OF LAS VEGAS BY THAT CERTAIN GRANT DEED RECORDED DECEMBER 11, 2007 IN BOOK 20071211 AS INSTRUMENT NO. 04194 OF OFFICIAL RECORDS.

PARCEL 2:
THAT PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., DESCRIBED AS FOLLOWS:

LOTS 1, 2, 3 AND 4, AS SHOWN BY MAP THEREOF ON FILE IN FILE 45 OF PARCEL MAPS, PAGE 15, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

TOGETHER WITH THOSE PORTIONS OF WITTIG AVENUE, CLARENCE AVENUE, AND BONITA VISTA STREET AS VACATED BY THE CITY OF LAS VEGAS IN AN ORDER OF VACATION RECORDED JUNE 30, 2003 IN BOOK 20030630 AS INSTRUMENT NO. 06908 AND RE-RECORDED JUNE 14, 2004 IN BOOK 20040614 AS INSTRUMENT NO. 02063 OF OFFICIAL RECORDS.

TOGETHER WITH THOSE PORTIONS VACATED BY THE ORDER OF VACATION OF DEDICATED RIGHT-OF-WAY RECORDED MARCH 15, 2017 IN BOOK 20170315 AS INSTRUMENT NO. 01545 OF OFFICIAL RECORDS AS TO LOTS 1 AND 4

PARCEL 3:
THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

EXCEPTING THEREFROM THAT PORTION AS CONVEYED TO THE CITY OF LAS VEGAS BY THAT CERTAIN GRANT DEED RECORDED JUNE 30, 2003 IN BOOK 20030630 AS INSTRUMENT NO 06913 AND RE-RECORDED JUNE 14 2004 IN BOOK 20040614 AS INSTRUMENT NO. 02298 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION AS CONVEYED TO THE CITY OF LAS VEGAS BY THAT CERTAIN GRANT DEED RECORDED DECEMBER 11, 2007 IN BOOK 20071211 AS INSTRUMENT NO. 04194 OF OFFICIAL RECORDS.

PARCEL 4:
THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

EXCEPTING THEREFROM THAT PORTION AS CONVEYED TO THE CITY OF LAS VEGAS BY THAT CERTAIN GRANT DEED RECORDED JUNE 30, 2003 IN BOOK 20030630 AS INSTRUMENT NO. 06913 AND RE-RECORDED JUNE 14 2004 IN BOOK 20040614 AS INSTRUMENT NO. 02298 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION AS CONVEYED TO THE CITY OF LAS VEGAS BY THAT CERTAIN GRANT DEED RECORDED DECEMBER 11, 2007 IN BOOK 20071211 AS INSTRUMENT NO. 04194 OF OFFICIAL RECORDS.

PARCEL 5:
THAT PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 21, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M. LYING SOUTHWESTERLY OF THE SOUTHWESTERLY LINE OF U.S. HIGHWAY NO. 95 AS IT MAY NOW EXIST.

PARCEL 6:
THAT PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., BEING A PORTION OF GRAND MONTECITO PARKWAY, AS VACATED IN THAT CERTAIN ORDER OF VACATION RECORDED DECEMBER 12, 2007 IN BOOK 20071211 AS INSTRUMENT NO. 04192 OF OFFICIAL RECORDS.

PARCEL 7: **(NOT A PART OF THIS SURVEY)**
THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 21, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B.&M.

EXCEPTING THEREFROM A THIRTY FOOT (30') RIGHT OF WAY ADJACENT TO THE SECTION LINE, MORE FULLY DESCRIBED AS BORDERING ANY PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 21, TOWNSHIP 19 SOUTH, RANGE 60 EAST AS CONVEYED TO CLARK COUNTY FOR ROAD PURPOSES BY DEED RECORDED JANUARY 15, 1952 IN BOOK 65 OF DEEDS, PAGE 244, CLARK COUNTY, NEVADA, AS DOCUMENT 379825.

FURTHER EXCEPTING THOSE PORTIONS CONDEMNED IN FAVOR THE STATE OF NEVADA BY FINAL ORDER OF CONDEMNATION (CASE NO. A320304) RECORDED AUGUST 30, 1995 IN BOOK 950830 OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA, AS DOCUMENT NO. 01103 FURTHER EXCEPTING THEREFROM ANY PORTION OF SAID LAND LYING NORTHEASTERLY OF THE SOUTHWESTERLY LINE OF U.S. HIGHWAY 95 AS IT NOW EXISTS.

SURVEYOR'S COMMENTS

1. THE PROPERTY DESCRIBED HEREON IS LOCATED IN FLOOD ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN) AS DEFINED BY FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAPS FOR CLARK COUNTY, NEVADA AND INCORPORATED AREAS, MAP NO. 32003C1745 E, PANEL NUMBER 1745 OF 4090, REVISED SEPTEMBER 27, 2002.

2. THE LOCATION OF UTILITIES SHOWN ON THIS MAP ARE BASED ON VISIBLE SURFACE EVIDENCE. THE SURVEYOR BEARS NO RESPONSIBILITY FOR THE LOCATION OF NON-VISIBLE UTILITIES SHOWN OR NOT SHOWN ON THIS MAP. IT IS THE RESPONSIBILITY OF THE DEVELOPER AND/OR CONTRACTOR TO VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO ACTUAL CONSTRUCTION. TRI-CORE SURVEYING AND THE CERTIFYING SURVEYOR SHALL NOT BE LIABLE FOR THE LOCATION OR THE FAILURE TO NOTE THE LOCATION OF NON-VISIBLE UTILITIES.

3. NO ATTEMPT HAS BEEN MADE TO RESEARCH SERVICE CONNECTIONS. FOR FURTHER INFORMATION REGARDING LOCATION, DEPTH OR SIZE OF UTILITIES, OR POINTS OF CONNECTIONS, CONTACT THE APPROPRIATE UTILITY COMPANY

CALL BEFORE YOU DIG – 811

4. AREA= 65.00 ACRES (GROSS)
60.37 ACRES (NET)

5. PROPERTY ADDRESS: PARCEL 4 (APN 125-20-601-003) 6810 GRAND MONTECITO PKWY
(NO OTHER ADDRESSES ASSIGNED)

6. ZONING: SUBJECT PROPERTY IS ZONED: **(MC-TC) MONTECITO – TOWN CENTER**
(WEST OF DOEBROOK)
(UC-TC) URBAN CENTER MIXED USE – TOWN CENTER
(EAST OF DOEBROOK)

NO SPECIFIC SETBACKS LISTED IN THE CITY OF LAS VEGAS UNIFIED DEVELOPMENT CODE TITLE 19.

A ZONING REPORT WAS NOT PROVIDED TO THE CERTIFYING LAND SURVEYOR, THE ABOVE ZONING INFORMATION WAS OBTAINED JULY 25, 2018 FROM THE CITY OF LAS VEGAS UNIFIED DEVELOPMENT CODE "TOWN CENTER DEVELOPMENT STANDARDS MANUAL":
(https://www.lasvegasnevada.gov/cs/groups/public/documents/document/dhn0/mday/~edisp/tst002698.pdf)

7. NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THIS SURVEY.

BASIS OF BEARINGS

NORTH 89°56'20" EAST, BEING THE BEARING OF THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN BY MAP THEREOF ON FILE IN THE CLARK COUNTY, NEVADA RECORDER'S OFFICE IN FILE 118, PAGE 89 OF SURVEYS.

SURVEYOR'S CERTIFICATE

TO: KB HOME NEVADA, INC;
FIRST AMERICAN TITLE COMPANY;

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 6(a), 8, 13, 14 AND 16 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JULY 20, 2018.

PROFESSIONAL LAND SURVEYOR — ROBERT J. FOLEY — EXPIRES 06/30/19 — No. 17449

8-2-18

ROBERT J. FOLEY
PROFESSIONAL LAND SURVEYOR
NEVADA LICENSE NO. 17449

PRJ-76273
04/22/19

NO.	DESCRIPTION	DATE	APP'D
N/A			

DATE : 8/2/2018
PM : RF
DRAWN BY : RF
DESIGNED BY :
CHECKED BY : ML
ADA CHECKED :
JOB NO. : 02018.0016
SCALE : N/A

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BOUNDARY & TOPOGRAPHIC SURVEYS
6781 WEST CHARLESTON BLVD.
LAS VEGAS, NEVADA 89146
TEL (702) 821-1654 FAX (702) 870-4378

ALTA/NSPS LAND TITLE SURVEY
GRAND MONTECITO & DEER SPRINGS
COVER SHEET

SHEET 1 OF 4

City Council - Page 1137

P:\02018.0016 Grand Montecito & Deer Springs\Mapping\drawings\ALTA_Grand Montecito_Deer Springs.dwg rfoley Thu, 02 Aug 2018 - 2:33pm

ALTA/NSPS LAND TITLE SURVEY

A PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 20, TOGETHER WITH A PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 21, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

NORTH

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	TANGENT
C1	13°28'13"	382.50'	89.93'	45.17'
C2	31°32'32"	379.89'	209.14'	107.29'
C3	74°21'07"	477.50'	619.65'	362.13'
C4	8°25'01"	377.50'	55.46'	27.78'
C5	29°41'36"	291.00'	150.81'	77.14'
C6	3°37'54"	309.00'	19.59'	9.80'
C7	33°31'17"	367.50'	215.01'	110.68'
C8	90°14'13"	54.00'	85.05'	54.22'
C9	11°18'35"	17.00'	3.36'	1.68'
C10	11°18'35"	33.00'	6.51'	3.27'
C11	16°41'58"	33.00'	9.62'	4.84'
C12	16°41'58"	17.00'	4.95'	2.50'
C13	76°24'09"	54.00'	72.01'	42.50'
C14	9°44'53"	54.00'	9.19'	4.60'
C15	7°03'48"	16.00'	1.97'	0.99'
C16	13°21'15"	34.00'	7.92'	3.98'
C17	9°02'57"	487.50'	76.99'	38.58'
C18	0°09'25"	281.00'	0.77'	0.38'
C19	10°18'11"	34.00'	6.11'	3.07'

CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	TANGENT
C20	10°44'03"	16.00'	3.00'	1.50'
C21	17°31'30"	309.00'	94.51'	47.63'
C22	26°10'11"	487.50'	222.66'	113.31'
C23	6°57'11"	377.50'	45.81'	22.93'
C24	14°20'26"	16.00'	4.00'	2.01'
C25	12°18'02"	367.50'	78.90'	39.60'
C26	10°51'01"	34.00'	6.44'	3.23'
C27	17°44'02"	16.00'	4.95'	2.50'
C28	25°42'24"	377.50'	169.37'	86.14'
C29	17°47'44"	291.00'	90.38'	45.56'
C30	18°59'58"	309.00'	102.47'	51.71'
C31	0°36'15"	309.00'	3.26'	1.63'
C32	20°18'37"	485.01'	171.93'	86.88'
C33	4°39'40"	472.50'	38.44'	19.23'
C34	68°00'00"	427.50'	507.37'	288.35'
C35	74°20'22"	427.50'	554.67'	324.13'
C36	50°55'19"	427.50'	379.94'	203.55'
C37	0°48'15"	548.48'	7.70'	3.85'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°17'53"W	17.75'
L2	N89°56'20"E	4.39'
L3	S78°45'05"E	56.24'
L4	N89°56'20"E	73.86'
L5	N73°14'22"E	34.42'
L6	N89°56'20"E	71.33'
L7	N00°03'40"W	60.00'
L8	S89°56'20"W	10.34'
L9	S06°45'55"W	56.03'
L10	S25°47'03"E	39.62'
L11	S70°32'15"E	82.79'
L12	S46°43'44"E	59.08'
L13	S50°01'58"E	34.53'
L14	S39°49'32"E	68.83'
L15	N00°17'53"W	122.22'

RADIAL TABLE	
LINE	BEARING
R1	N65°49'39"E
R2	N83°56'46"W
R3	S76°20'29"W
R4	S73°29'16"W
R5	S83°14'10"W
R6	N89°42'07"E
R7	N83°43'30"E
R8	N74°40'33"E
R9	N74°31'08"E
R10	N74°57'00"E
R11	S28°55'50"W
R12	S38°31'01"W
R13	N50°49'03"E
R14	S57°42'04"W
R15	N82°12'14"E
R16	N81°35'59"E
R17	N61°17'22"E
R18	N54°08'22"E
R19	S21°42'07"W
R20	S83°57'31"E
R21	N45°07'10"E

LEGEND

- BOUNDARY LINE
- SECTION LINE
- ALIQUOT LINE
- ASSESSOR'S PARCEL LINE
- STREET CENTERLINE
- RIGHT-OF-WAY LINE
- FOUND MONUMENT AS DESCRIBED
- FOUND ALUMINUM CAP STAMPED "PLS 16224" PER FILE 180, PAGE 22 OF SURVEYS
- (19) TITLE REPORT EXCEPTION NUMBER
- APN ASSESSOR'S PARCEL NUMBER
- BLM BUREAU OF LAND MANAGEMENT

City Council - Page 1138

RILEY STREET

GRAND MONTECITO PARKWAY

DOE BROOK TRAIL

US HIGHWAY 95

SKY POINTE DRIVE

OSO BLANCA ROAD

DEER SPRINGS WAY

PARCEL 1
PARCEL 2
PARCEL 3
PARCEL 4
PARCEL 5
PARCEL 6
PARCEL 7 (N.A.P.)

NE 1/16 20 — FOUND 2" BRASS CAP STAMPED "PLS 16224"

N 1/16 20 | 21 — FOUND ALUMINUM CAP STAMPED "PLS 13384" PER FILE 105, PAGE 6 OF SURVEYS

NW 1/16 21 — FOUND NAIL AND BRASS TAG STAMPED "PLS 17449" ON BLOCK WALL PER FILE 118, PAGE 98 OF PARCEL MAPS

E 1/16 C—C 20 — FOUND ALUMINUM CAP STAMPED "PLS 16201"

C-E 1/16 C—C 20 — FOUND ALUMINUM CAP STAMPED "PLS 16201"

1/4 20 | 21 — FOUND BLM BRASS CAP DATED 2007

W 1/16 C—C 21 — FOUND ALUMINUM CAP STAMPED "PLS 13384" PER FILE 119, PAGE 02 OF SURVEYS

N89°56'20"E BASIS OF BEARINGS

PRJ-76273
04/22/19

NO.	DESCRIPTION	DATE	APP'D

DATE : 8/2/2018
PM : RF
DRAWN BY : RF
DESIGNED BY :
CHECKED BY : ML
ADA CHECKED :
JOB NO. : 03018.2016
SCALE : 1"=200'

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TEL (702) 821-1654 FAX (702) 870-4378

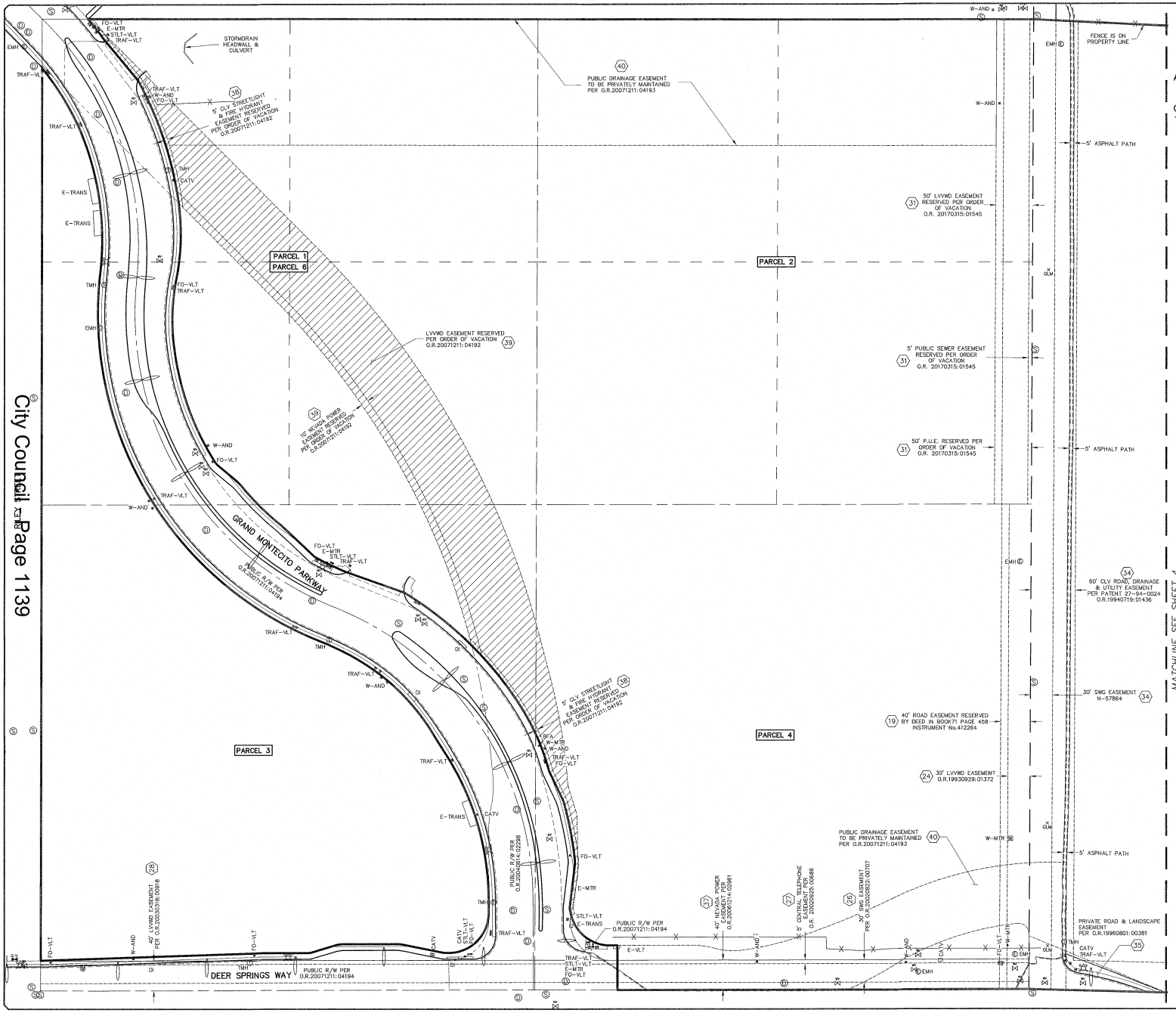
ALTA/NSPS LAND TITLE SURVEY
GRAND MONTECITO & DEER SPRINGS

BOUNDARY ANALYSIS
EXISTING EASEMENTS

PROFESSIONAL LAND SURVEYOR — STATE OF NEVADA
ROBERT J. FOLEY
No. 17449
EXPIRES 06-30-19
8-2-18

SHEET 2 OF 4

P:\03018.0016 Grand Montecito & Deer Springs\Mapping\Vanwings\ALTA_Grand Montecito_Deer Springs.dwg rfoley Thu, 02 Aug 2018 - 2:33pm



ALTA/NSPS
LAND TITLE SURVEY

A PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 20, TOGETHER WITH A PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 21, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

NORTH

GRAPHIC SCALE

60 0 30 60 120 240

(IN FEET)
1 inch = 60 ft.

LEGEND

- BOUNDARY LINE
- SECTION LINE
- ALIQUOT LINE
- ASSESSOR'S PARCEL LINE
- RIGHT-OF-WAY LINE
- EASEMENT LINE
- FOUND MONUMENT AS DESCRIBED
- (6) TITLE REPORT EXCEPTION NUMBER
- L1 LINE NUMBER
- C1 CURVE NUMBER
- EDGE OF PAVEMENT
- FENCE LINE
- BLOCK WALL
- "L" TYPE CURB
- MATCHLINE
- FIRE HYDRANT
- WATER VALVE
- WLM WATER LINE MARKER
- W-MTR WATER METER
- W-AND WATER ANODE
- WATER BLOW OFF
- WMH WATER MANHOLE
- W-VLT WATER VAULT
- BFA WATER BACKFLOW ASSEMBLY
- STREET LIGHT
- STLT-VLT STREETLIGHT VAULT/PULLBOX
- TRAFFIC SIGNAL
- TRAF-VLT TRAFFIC SIGNAL VAULT/PULLBOX
- EMH ELECTRICAL MANHOLE
- E-VLT ELECTRICAL VAULT/PULLBOX
- E-TRANS ELECTRICAL TRANSFORMER
- E-MTR ELECTRIC METER
- POWER POLE
- TMH TELEPHONE MANHOLE
- TELE-VLT TELEPHONE VAULT/PULLBOX
- FO-VLT FIBER OPTIC VAULT/PULLBOX
- CATV CABLE TV VAULT/PULLBOX
- STORM DRAIN MANHOLE
- SEWER MANHOLE
- DI STORM DRAIN INLET
- GLM GAS LINE MARKER
- GAS VALVE
- SIGN
- APN ASSESSOR'S PARCEL NUMBER
- CNLV CITY OF NORTH LAS VEGAS
- P.U.E. PUBLIC UTILITY EASEMENT
- OR: OFFICIAL RECORDS, CLARK COUNTY
- R/W RIGHT-OF-WAY LINE
- BLM BUREAU OF LAND MANAGEMENT
- GL 12 GOVERNMENT LOT LINE

PRJ-76273
04/22/19

NO.	DESCRIPTION	DATE	APP'D

DATE : 8/2/2018
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ADA CHECKED :
JOB NO. : 03018.0016
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ALTA/NSPS LAND TITLE SURVEY
GRAND MONTECITO & DEER SPRINGS
EASEMENTS & EXISTING IMPROVEMENTS

PROFESSIONAL LAND SURVEYOR
ROBERT J. FOLEY
No.17449
EXPIRES 06-30-19
STATE OF NEVADA
8-2-18

SHEET
3
OF 4

P:\03018.0016 Grand Montecito & Deer Springs\Mapping\Drawings\ALTA_Grand Montecito_Deer Springs topo.dwg rfoley Thu, 02 Aug 2018 - 2:32pm

ALTA/NSPS LAND TITLE SURVEY

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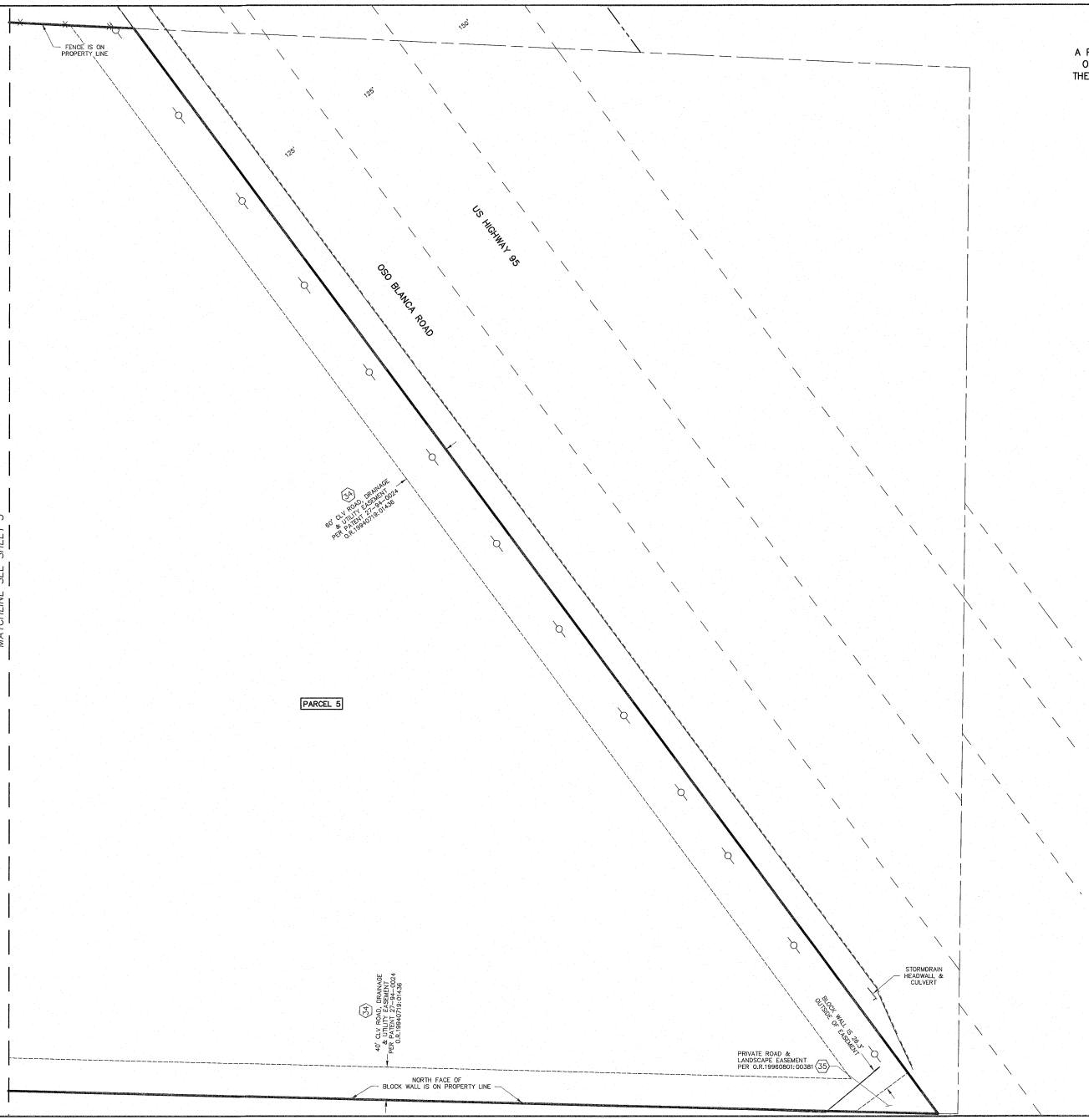

MATCHLINE SEE SHEET 3

City Council - Page 1140

NORTH

GRAPHIC SCALE

60 0 30 60 120 240

(IN FEET)
1 inch = 60 ft.

LEGEND

	BOUNDARY LINE
	SECTION LINE
	ALIQUOT LINE
	ASSESSOR'S PARCEL LINE
	RIGHT-OF-WAY LINE
	EASEMENT LINE
	FOUND MONUMENT AS DESCRIBED
6	TITLE REPORT EXCEPTION NUMBER
L1	LINE NUMBER
C1	CURVE NUMBER
	EDGE OF PAVEMENT
	FENCE LINE
	BLOCK WALL
	"L" TYPE CURB
	MATCHLINE
	FIRE HYDRANT
	WATER VALVE
WLM	WATER LINE MARKER
W-MTR	WATER METER
W-AND	WATER ANODE
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TELE-VLT	TELEPHONE VAULT/PULLBOX
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GLM	GAS LINE MARKER
G.V.	GAS VALVE
	SIGN
APN	ASSESSOR'S PARCEL NUMBER
CNLV	CITY OF NORTH LAS VEGAS
P.U.E.	PUBLIC UTILITY EASEMENT
OR:	OFFICIAL RECORDS, CLARK COUNTY
R/W	RIGHT-OF-WAY LINE
BLM	BUREAU OF LAND MANAGEMENT
GL 12	GOVERNMENT LOT LINE

PRJ-76273
04/22/19

NO.	DESCRIPTION	DATE	APP'D

DATE : 8/2/2018
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ALTA/NSPS LAND TITLE SURVEY
GRAND MONTECITO & DEER SPRINGS
EASEMENTS & EXISTING IMPROVEMENTS

PROFESSIONAL LAND SURVEYOR · STATE OF NEVADA
ROBERT J. FOLEY
EXPIRES 06-30-19
No. 17449
8-2-18

SHEET 4 OF 4

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KBH1805.000

April 22, 2019

City of Las Vegas
Planning and Development
333 S. Rancho Drive
Las Vegas, NV 89101

RE: Justification Letter for Vacation of Easements for Montecito 60

To whom it may concern,

Slater Hanifan Group, on behalf of our client, Century Communities, respectfully submits this justification letter with an application for vacations of public road, drainage, and utility easements for the subject development located at the Northeast corner of Deer Springs Way and Grand Montecito Parkway; and is bordered on the east by OSO Blanca Road.

The subject vacations are approximately 458,263 SF and cover APNs: 125-21-201-001, 125-20-603-001, 125-20-603-002, 125-20-603-004, 125-20-602-002, and 125-20-602-005.

- Road Easement (1 location);
  - Established per deed in Book 71 Page 458 Instrument # 412264
- CLV Road, Drainage and Utility Easement (1 location);
  - Established per O.R. 19940719:01436
- Public Drainage Easement (2 locations);
  - Established per O.R. 20071211:04193
- Public Utility Easement (1 location);
  - Established per O.R. 20170315:01545
- Public Right-of-Way (1 location);
  - Established per Doc 2007121104194
- Public Right-of-Way (1 location);
  - Established per Doc 2004061402298

The vacation of these easements is the result of the establishment of Montecito 60. For the locations of these vacations refer to Alta/NSPS Land Title Survey – Grand Montecito and Deer Springs and their respective establishing documents above.

The limits of these vacations are more specifically described in the attached legal descriptions and exhibits. Please contact our office if you have any questions or require additional information. Thank you for your consideration of this project.

Sincerely,

Slater Hanifan Group



Matt Key, E.I.
Project Manager

Cc: Chelsea Jensen, SHG

PRJ-76273
04/22/19

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE

Planning and Development Department
Case Planning Division
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106
(702) 229-6301 Phone (702) 464-7499 Fax

RECEIVED
JUN 10 2019
Dept of Planning
City of Las Vegas

CASE: VAC-76340 [PRJ-76273] - VACATION RELATED TO MOD-76339

SUBJECT: APPLICANT/OWNER: KB HOME NV ACQUISITION, LLC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***JUNE 11, 2019*** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to ***Nora Lares*** at ***(702)464-7499*** or e-mail to ***nlares@lasvegasnevada.gov***. If there is no one present at the Planning Commission meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any Planning Commissioner or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions and return to our office by 5:00PM ***MONDAY, JUNE 10, 2019.***

Signature

6.10.19
Date

MARK BANGAN
Please Print Name

KB HOME
Company Name

Sincerely,

Eric McCammond
Sr. Management Analyst
Case Planning Division

Submitted after final agenda
Item 11

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
77

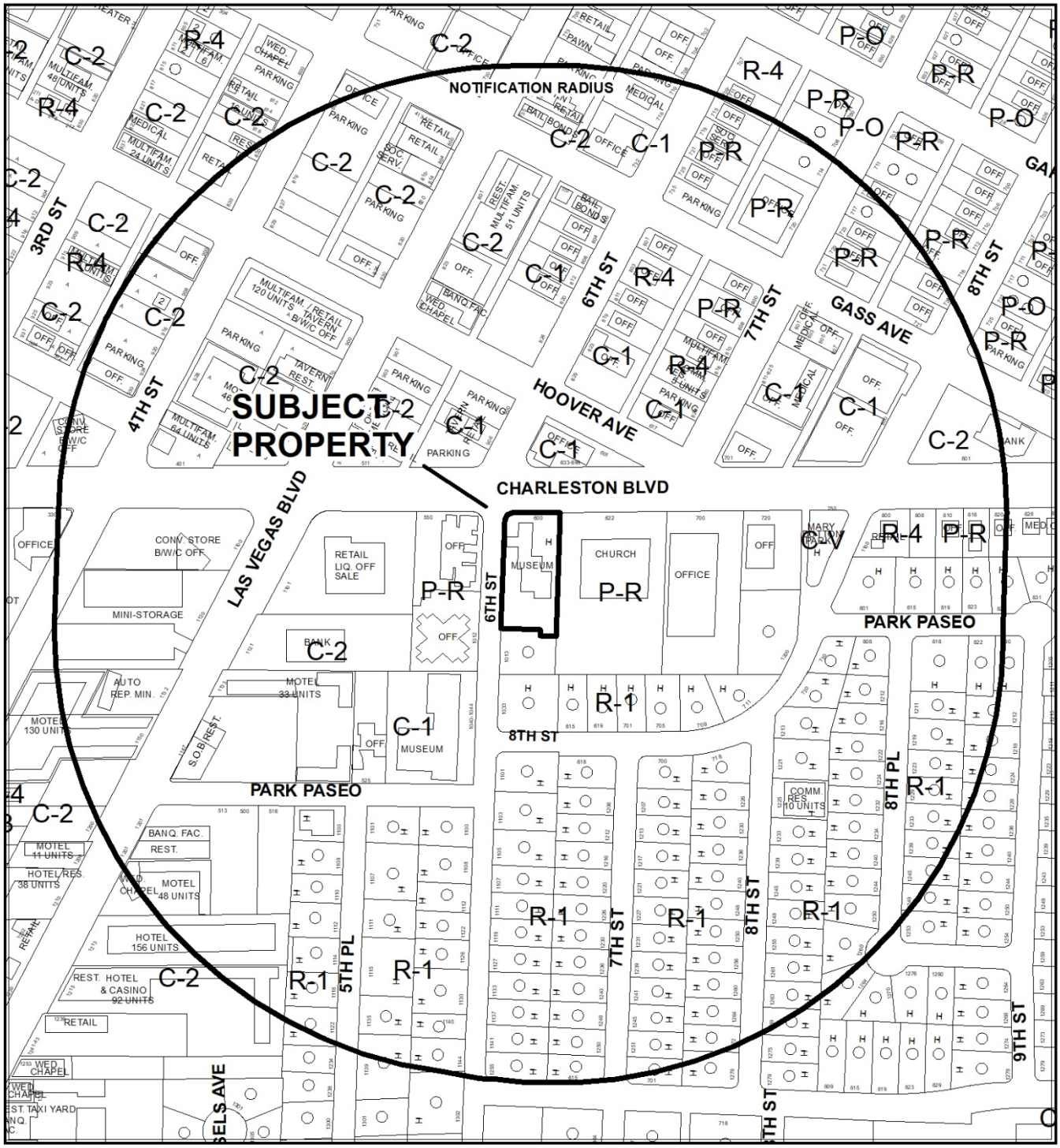
DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
RQR-76626 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: HELLFIRE MEDIA, LLC - For a possible action on a Required Review of an approved Special Use Permit (SUP-61802) FOR AN EXISTING 10,248 SQUARE-FOOT MUSEUM, ART DISPLAY, OR ART SALES (PRIVATE) USE at 600 East Charleston Boulevard (APN 162-03-501-001), P-R (Professional Office and Parking) Zone, Ward 3 (Diaz). Staff recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting	3	City Council Meeting	0

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo(s)
5. City Council Approval Letter - SUP-61802 [PRJ-61465]
6. Justification Letter
7. Submitted after Final Agenda – Protest Postcards



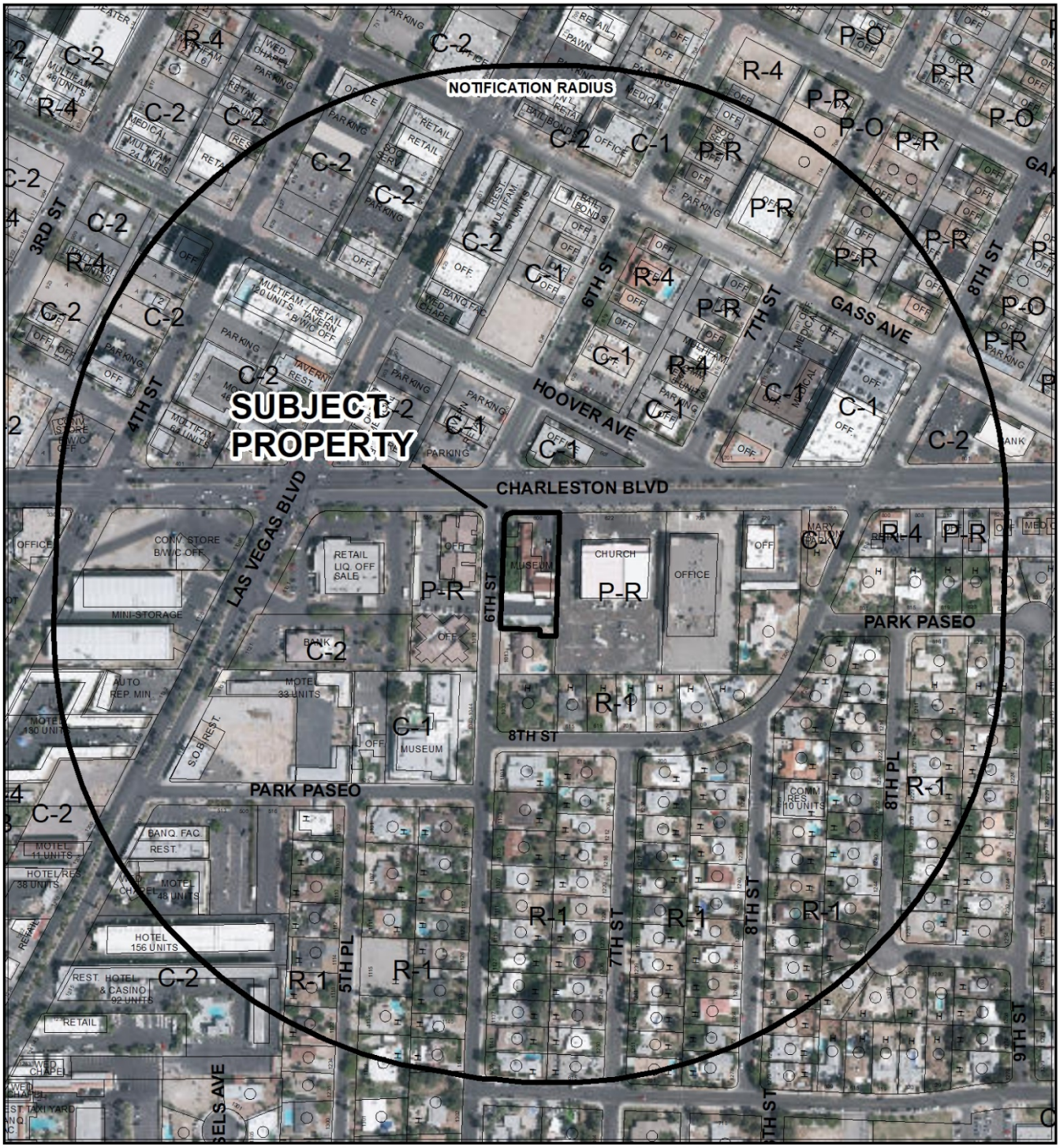
0 255 510 Feet

CASE: **RQR-76626**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

N



CASE: **RQR-76626**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: HELLFIRE MEDIA, LLC

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
RQR-76626	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 34

NOTICES MAILED 360 (By Planning)

APPROVALS 0

PROTESTS 0

**** CONDITIONS ****

RQR-76626 CONDITIONS

Planning

1. Conformance to the approved conditions for Special Use Permit (SUP-61802).

2. Prior to the issuance of a permit for a building addition, a Minor Amendment of the approved Special Use Permit shall be approved.

3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a Required Review of an approved Special Use Permit (SUP-61802) for a 10,248 square-foot Museum, Art Display or Art Sales (Private) use at 600 East Charleston Boulevard.

ISSUES

- This is the second Required Review of the approved Special Use Permit for this use at this location.
- A Minor Amendment of the approved Special Use Permit (SUP-61802) for expansion of the Museum, Art Display or Art Sales (Private) use has not been requested or completed. This amendment must be approved prior to the issuance of a building permit for the building expansion.
- No additional reviews are recommended.

ANALYSIS

The property is zoned P-R (Professional Office and Parking) and is located within the John S. Park Historic Neighborhood. The property is adjacent to offices on the west, a church to the east and a single family dwelling to the south with an O (Office) General Plan designation.

In 2016, the building, which was constructed as a residential dwelling in 1938 and then converted into an office, was designated as an historic structure. After City Council approval of a Museum, Art Display or Art Sales (Private) use on this property, a business license (G64-02066) was issued for a museum on April 25, 2016. On December 19, 2016 a second business license (G64-08511) was issued for a change of ownership. The applicant's justification letter states that Zac Bagans' Haunted Museum opened to the general public on October 3, 2017. Hours of operation are Mondays, 1:00 p.m. to 9:00 p.m.; Wednesdays through Saturdays, 1:00 p.m. to 9:00 p.m.; and Sundays, 12:00 p.m. to 8:00 p.m.

Since the public opening of the museum, there have not been any Code Enforcement complaints concerning the use. Business Licensing Enforcement inspected the property on August 8, 2018 and noted issues, which were corrected upon reinspection.

A 1,542 square-foot addition to the west side of the building has been proposed, which was approved by the Historic Preservation Commission and the Planning Commission. However, the expansion of the area related to the Special Use Permit (SUP-61802) has not yet been approved. A condition of approval requires approval of an amendment of the Special Use Permit prior to the issuance of a building permit for the addition.

FINDINGS (RQR-76626)

The use has shown to be able to operate in a manner that is harmonious and compatible with the surrounding land uses. Staff therefore recommends approval of this review of the use with a condition to obtain approval of an amendment to the approved Special Use Permit for expansion of the use. No additional reviews are recommended.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
10/18/72	The Board of City Commissioners approved a request for Reclassification of Property (Z-0047-72) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) for a proposed office generally located on the southeast corner of Charleston Boulevard and South 6th Street.
04/19/74	A change of address from 1001 South 6th Street to 600 East Charleston Boulevard was assigned to this property by written notice to the owner.
08/06/75	The Board of City Commissioners approved a request for Reclassification of Property and Plot Plan Review (Z-0021-75) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) for a proposed office building and bank building on property located at 600 and 622 East Charleston Boulevard.
02/04/76	The Board of City Commissioners approved a request for a six-month Extension of Time (Z-0021-75) for Reclassification of Property and Plot Plan Review (Z-0021-75) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) for a proposed office building and bank building on property located at 1001 South 6th Street and 622 East Charleston Boulevard.
10/14/76	The Planning Commission denied a request for a Plot Plan Review (Z-0021-75) to allow a restaurant on property located on the southeast corner of Charleston Boulevard and South 6th Street.
12/22/76	The Board of City Commissioners approved a request for reclassification of property (Z-0085-76) from P-R (Professional Office and Parking) to C-1 (Limited Commercial) and Plot Plan Review (Z-0021-75) for a proposed restaurant with parking facilities on property located at 600 East Charleston Boulevard.
04/18/84	The City Council approved a request for a Plot Plan Review (Z-0047-72) for the redesign and expansion of the rear parking area at 600 East Charleston Boulevard.
09/16/87	The City Council approved a request for a Plot Plan Review (Z-0047-72) for a proposed addition to an existing law office on property located at 600 East Charleston Boulevard.
05/24/88	The Planning Commission approved a request for a Plot Plan Review (Z-0047-72) for additional covered parking for a professional office building at 600 East Charleston Boulevard.
02/28/89	The Planning Commission approved a request for a Review of Condition (Z-0047-72) requiring an eight-foot high block wall on property located at 600 East Charleston Boulevard. The condition was amended to install a cap on top of the existing wall.

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
12/14/15	The Historic Preservation Commission approved a request (HPC-62223) for designation of the Wengert House at 600 East Charleston Boulevard as a Historic Landmark on the City of Las Vegas Historic Property Register.
01/20/16	The City Council approved a request for a Variance (VAR-62029) to allow 33 parking spaces where 35 parking spaces are required for a proposed 10,248 square-foot Museum, Art Display, or Art Sales (Private) at 600 East Charleston Boulevard. The Planning Commission recommended approval and staff recommended denial.
01/20/16	The City Council approved a request for a Special Use Permit (SUP-61802) for a proposed 10,248 square-foot Museum, Art Display, or Art Sales (Private) use at 600 East Charleston Boulevard. The Planning Commission recommended approval and staff recommended denial.
02/17/16	The City Council approved a Director's Business (DIR-62634) request to designate the Wengert House as a Historic Building on the City of Las Vegas Historic Property Register as approved by the Historic Preservation Commission (HPC-62223). The Planning Commission and staff recommended approval.
12/14/16	The Historic Preservation Commission approved a request (HPC-67893) to construct a 12-foot tall pole-mounted sign at the Wengert House at 600 East Charleston Boulevard.
03/21/18	The City Council approved a Required Review (RQR-72721) of an approved Special Use Permit (SUP-61802) for a Museum, Art Display or Art Sales (Private) use at 600 East Charleston Boulevard. Staff recommended approval.
06/12/18	The Planning Commission approved a request for a Special Use Permit (SUP-73275) for an Astrologer, Hypnotist or Psychic Art and Science use within an existing museum at 600 East Charleston Boulevard. Staff recommended approval.
08/08/18	Business Licensing Enforcement conducted an inspection (BLE557449) of a museum at 600 East Charleston Boulevard for compliance with requirements of the business license. Issues were noted and were found to be corrected upon reinspection on 09/19/18.
02/27/19	The Historic Preservation Commission approved a request (HPC-67893) for a Certificate of Appropriateness for a proposed building addition to the Wengert House at 600 East Charleston Boulevard. Staff recommended approval.
06/11/19	The Planning Commission approved a request for a Site Development Plan Review (SDR-76062) for a proposed 1,542 square-foot addition to an existing 10,594 square-foot Museum with waivers of Interim Downtown Las Vegas Overlay parking and setback standards on 0.78 acres at 600 East Charleston Boulevard. Staff recommended approval.

Most Recent Change of Ownership	
12/22/15	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
1938	The existing structure at 1001 South 6th Street was constructed as a single-family dwelling.
07/31/73	A building permit (12388) was issued for a 6-foot block wall along the south property line at 600 East Charleston Boulevard. A final inspection was completed 08/07/73.
07/31/73	A building permit (12385) was issued for a conversion of a residential garage to an office at 600 East Charleston Boulevard. A final inspection was completed 08/07/73.
01/27/77	A building permit (407) was issued for a tenant improvement for a law office at 600 East Charleston Boulevard. A final inspection was completed on 03/23/77.
04/04/84	A building permit (3433) was issued for a remodel and addition to an existing law office at 600 East Charleston Boulevard. A final inspection was completed 11/19/84. A Certificate of Occupancy was issued 11/20/84.
05/14/84	A building permit (704) was issued for carports at 600 East Charleston Boulevard. A final inspection was completed 11/13/84.
11/10/87	A building permit (3972) was issued for an addition to an existing law office at 600 East Charleston Boulevard. A Certificate of Occupancy was issued 05/13/88.
09/23/88	A building permit (5595) was issued for a parking canopy at 600 East Charleston Boulevard. A final inspection was completed 03/20/89.
09/23/05	A building permit (051268) was issued for the installation of a new roof at 600 East Charleston Boulevard. This was expired on 09/06/06.
12/20/06	A building permit (06007426) was issued for 9-foot by 18-foot carports at 600 East Charleston Boulevard. The permit received a final inspection on 01/02/07.
04/16/09	A building permit (137746) was issued for a water heater at 600 East Charleston Boulevard. The permit received its final inspection on 04/20/09.
04/19/16	A building permit (313849) was issued for a tenant improvement (install accessible restroom) for an existing office at 600 East Charleston Boulevard. A final inspection was approved 04/13/17.
04/25/16	A business license (G64-02066) was issued for a Museum at 600 East Charleston Boulevard. The license was marked out of business on 12/06/16 due to change of ownership.
12/19/16	A business license (G64-08511) was issued for a Museum and Gifts at 600 East Charleston Boulevard. The license is active.
01/09/17	A building permit (330565) was issued for a freestanding sign at 600 East Charleston Boulevard. The permit was finalized on 02/23/18.
06/26/17	A building permit (328393) was issued for a change of occupancy from office to museum at 600 East Charleston Boulevard. The permit was finalized on 08/01/17.

Pre-Application Meeting
A pre-application meeting was not required, nor was one held.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
06/13/19	The site contains a museum building surrounded by a wrought iron fence. Access from both Charleston Boulevard and 6th Street is gated. The premises were well maintained.

Details of Application Request	
Site Area	
Net Acres	0.78

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Museum, Art Display, or Art Sales (Private)	C (Commercial)	P-R (Professional Office and Parking)
North	Office, Other Than Listed	C (Commercial)	C-1 (Limited Commercial)
South	Single Family, Detached	O (Office)	R-1 (Single Family Residential)
East	Church/House of Worship	C (Commercial)	P-R (Professional Office and Parking)
West	Office, Other Than Listed	C (Commercial)	P-R (Professional Office and Parking)

Master Plan Areas	***Compliance***
Vision 2045 Downtown Master Plan	N/A
Special Purpose and Overlay Districts	***Compliance***
DTLV-O (Downtown Las Vegas Overlay) District (Area 2 – Founders District)	Y
HD-O (Historic Designation Overlay) District	Y
Other Plans or Special Requirements	***Compliance***
John S. Park Neighborhood Plan	Y
Trails	N/A
Las Vegas Redevelopment Plan Area	Y
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 (1997 edition prior to adoption of the UDC), the following standards apply:

Standard	*Required/Allowed*	*Provided (current)*	*Compliance*
Min. Lot Size	N/A	33,976 SF	N/A
Min. Lot Width	60 Feet	123 Feet	Y
Min. Setbacks			
• Front	20 Feet	38 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	15 Feet	37 Feet	Y*
• Rear	15 Feet	82 Feet	Y
Max. Lot Coverage	50 %	26 %	Y
Max. Building Height	2 stories/35 Feet	1 story/29 Feet	Y

*Per Title 19.08.050 (1997 edition), a development in the P-R District that was converted from an existing residential structure may maintain the existing setbacks, and any additions may also be constructed to the existing established corner side yard setback. A Site Development Plan Review (SDR-76062) was approved 06/11/19 that included a waiver to allow a 10-foot corner side yard setback, as this setback had not previously been established.

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
3:1 proximity slope	30 Feet	29 Feet	Y
Trash Enclosure	50 Feet	40 Feet	Y*

*The existing trash enclosure does not meet the current residential adjacency setback; however, the location was approved through a valid building permit in 1984.

Parking Requirement - Downtown							
Use	***Gross Floor Area or Number of Units***	***Base Parking Requirement***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Museum, Art Display or Art Sales (Private)	10,248 SF	1 space per 300 SF GFA	35				
TOTAL SPACES REQUIRED			35		33		Y*
Regular and Handicap Spaces Required			33	2	31	2	Y*

*Variance (VAR-62029) was approved to allow 33 parking spaces where 35 parking spaces are required for this use. This action preceded adoption of the Downtown Las Vegas Overlay District, which permits requests for waivers of Title 19 development standards within Area 2 of the district.

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use

Case #	BOR-76626
Meeting Date	7/17/19
Total Fee	$800.00
Received By/Date	5/22/19

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) SPECIAL USE PERMIT REVIEW

Project Address (Location) 600 E. CHARLESTON BLVD. LAS VEGAS, NV 89104

Project Name REQUIRED ANNUAL REVIEW **Proposed Use** 41.355

Assessor's Parcel #(s) 162-03-501-001 **Ward #** 3

General Plan: Existing O Proposed N/A **Zoning:** Existing P-R Proposed N/A

Additional Information SPECIAL USE PERMIT REVIEW: SUP-61802
HELLFIRE MEDIA LLC

Property Owner ZACHARY BAGANS Contact

Address 33 PROMONTORY RIDGE DR. City LAS VEGAS State NV Zip 89135

E-mail ZAKBAGANS95@GMAIL.COM Phone (702) 277-4461

Applicant SAME AS OWNER Contact

Address City State Zip

E-mail Phone

Representative Contact

Address City State Zip

E-mail Phone

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company? ☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official **Partner(s)**

Partner(s)

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

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MAY 22 2019
City of Las Vegas
Department of Planning

Property Owner Signature
An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

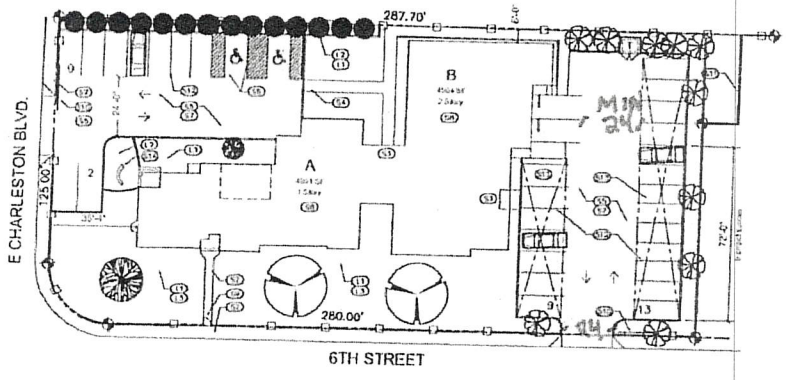
Print Name Zachary Bagans

Subscribed and sworn before me

This 22nd day of May, 20 19

Notary Public in and for said County and State

REBECCA REYES
Notary Public, State of Nevada
No. 13-12314-1
My Appt. Exp. Dec. 5, 2021



SITE PLAN
SCALE: 1" = 20'-0"

SITE NOTES

- S1 LANDSCAPE AREA; W/ GRIP RING, DECOMPOSED GRANITE
- S2 CONCRETE SIDEWALK
- S3 BUILDING ENTRANCE
- S4 CONCRETE RAMP
- S5 DRIVEWAY
- S6 ACCESSIBLE PARKING AND PARKING AISLES
- S7 PAVED PARKING AREA (ASPHALT CONCRETE)
- S8 EXISTING BUILDING TO REMAIN
- S9 EXISTING STEEL GATE
- S10 EXISTING STEEL ROLLING GATE
- S11 6' HIGH BLOCK BOUNDARY WALL
- S12 PARKING STRIPING (TYPICAL)
- S13 COVERED PARKING AREA
- S14 4'-0" HIGH WALL WITH SIGNAGE

LANDSCAPING LEGEND / KEYNOTES

- EXISTING SHRUBBERY TO REMAIN
- EXISTING MATURE TREE TO REMAIN
- EXISTING MATURE TREE TO REMAIN
- EXISTING MATURE TREE TO REMAIN
- L1 EXISTING, MATURE LANDSCAPING TO REMAIN PALM TREES / SHRUBS
- L2 LANDSCAPE ROCK; DECOMPOSED GRANITE
- L3 EXISTING TURF AREA

PROJECT INFORMATION

A.P.N.	162-03-501-001
Owner Name:	STATE BAR NEVADA
Site Address:	600 E. Charleston Blvd.
Jurisdiction:	City of Las Vegas, Nevada
Zoning:	(PR) PROF OFFICES & PARKING
T-R-S:	21-61-3
Lot Size:	0.78 acres

SITE/PARKING ANALYSIS

ADJACENT ZONING:

NORTH –	C-1	LIMITED COMMERCIAL DISTRICT
EAST/WEST –	P-R	LIGHT MANUFACTURING DISTRICT
SOUTH –	R-1	SINGLE FAMILY RESIDENTIAL

[illegible]	[illegible]	[illegible]	[illegible]
	[illegible]		
	[illegible]	[illegible]	[illegible]

PARKING

Bldg. Area = 9,888 SQ. FT.

EXHIBIT AREA (8,333 SF 1ST LEVEL + 2,150 SF 2nd LEVEL = 8,483 SF)
OFFICE AREA (1,405 SF)
TOTAL 9,888 SF
REQUIRED 1,300 SQ. FT. GROSS = 32.96 = 33 SPACES

REQUIRED	PROVIDED
33 SPACES	33 SPACES

BUILDING HEIGHT

ALLOWABLE	PROVIDED
50'-0"	30'-0" MAX

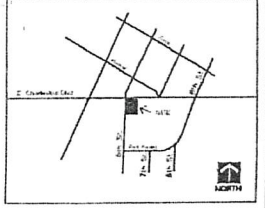
SETBACKS

	REQ	PROVIDED
FRONT (NORTH)	20'-0"	28'-0"
REAR (SOUTH)	8'-0"	78'-0"
SIDE (WEST)	15'-0"	15'-0"
SIDE (EAST)	8'-0"	8'-0"

SITE LEGEND

- TRASH ENCLOSURE
- FENCE (FEEDER)
- SETBACK LINE
- PROPERTY LINES
- PROPERTY CORNERS
- DIRECTION OF VEHICLE ACCESS ROUTES
- TYPICAL PARKING STALL DIMENSIONS
- 6" CONCRETE CURBING

VICINITY MAP



e.v.a.
EVAN VAUSE
architect

EVAN VAUSE No. 4002 ARCHITECT STATE OF NEVADA

Zone Change Application
Ghost Adventures
600 E. Charleston Blvd.
Las Vegas, NV 89101

Sheet Title
Site Plan

Project No.
Drawn By
Checked By
Date
Sheet No.
A1.1

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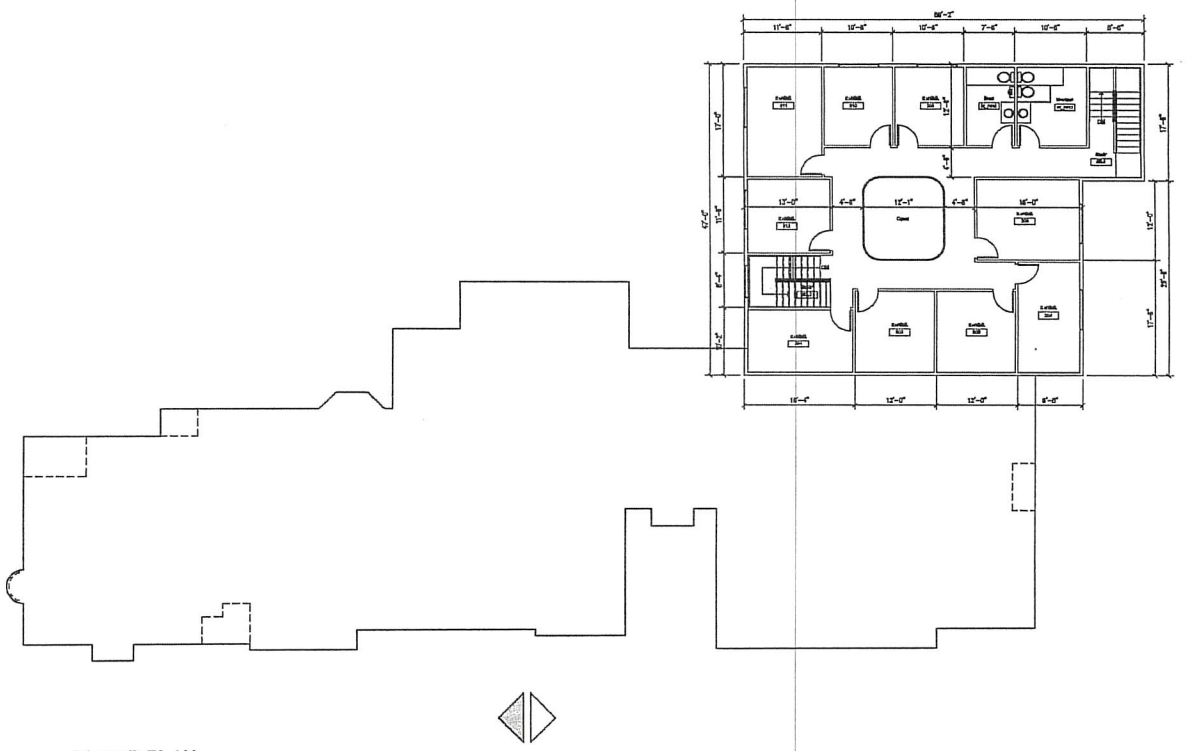
Department of Planning

RQR-76626



FLOOR PLAN
SCALE: 1/8" = 1'-0"

General Notes

1. ALL EXTERIOR WALLS ARE EXISTING TO REMAIN. NO CHANGES TO BUILDING EXTERIOR.
1. ALL INTERIOR WALLS ARE EXISTING TO REMAIN. EXISTING WOOD FRAME CONSTRUCTION.

KEYNOTES

(1) BUILDING ENTRANCE
(2) BUILDING STAIRWAY EXIT

e.v.a.
EVAN VAUSE
architect
PO BOX 530543 T:(702) 286-4790
Henderson, NV
89053 cypressewmp@icloud.com

EVAN VAUSE REGISTERED No. 4002 ARCHITECT STATE OF NEVADA

Rev.	Date	Description

Zone Change Application
Ghost Adventures
600 E. Charleston Blvd.
Las Vegas, NV 89101

Sheet Title
LEVEL 2
Floor Plan

Project No.	cyp480
file name:	480-A22
Drawn By:	EV
Checked By:	EV
Date:	10/01/18
Sheet No.	A2.2

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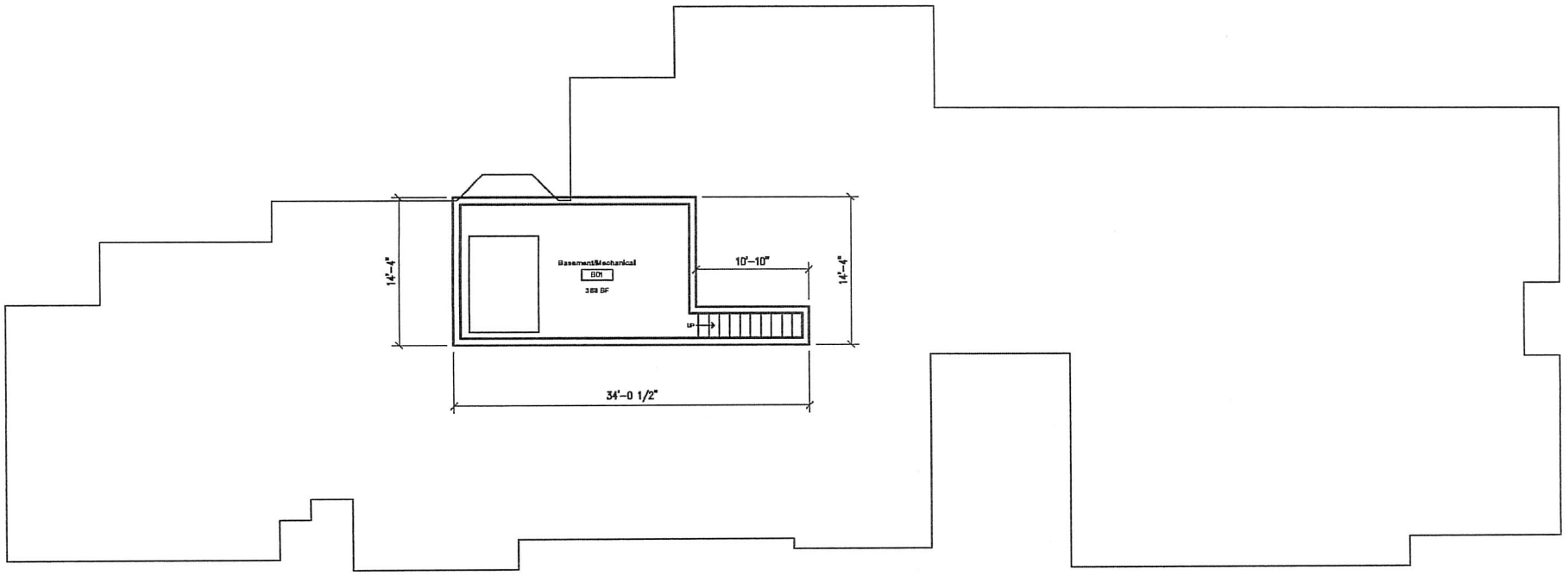
Department of Planning

RQR-76626



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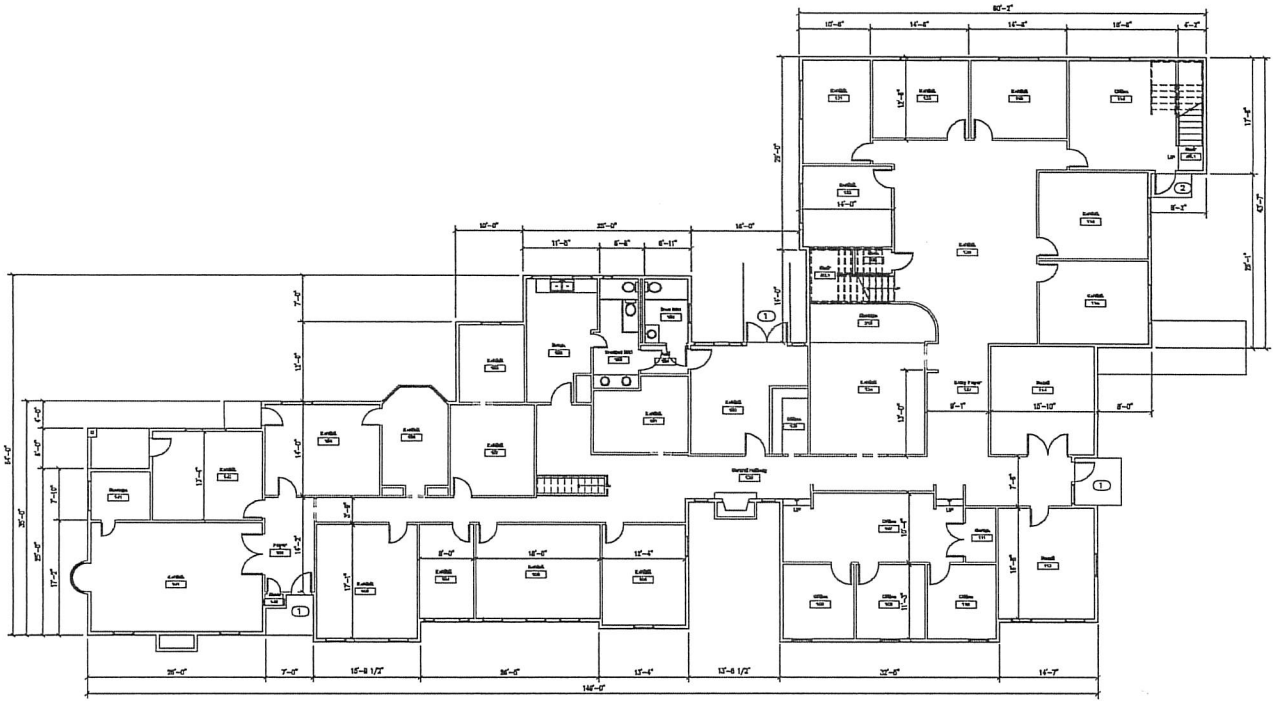
City of Las Vegas
Department of Planning
RQR-76626



FLOOR PLAN
SCALE: 1/8" = 1'-0"

General Notes

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KEYNOTES

(1) BUILDING ENTRANCE

e.v.a.
EVAN VAUSE
architect
PO BOX 530543 T:(702) 286-4790
Henderson, NV
89053 cypressevamp@icloud.com

EVAN VAUSE
REGISTERED
No. 4002
ARCHITECT
STATE OF NEVADA

Rev. Date Description

Zone Change Application
Ghost Adventures
600 E. Charleston Blvd.
Las Vegas, NV 89101

Sheet Title
LEVEL 1
Floor Plan

Project No.	cyp466
file name:	466-A21
Drawn By:	EV
Checked By:	EV
Date:	10/01/18

Sheet No.
A2.1

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City of Las Vegas
Department of Planning

RQR-76626



RQR-76626 - APPLICANT/OWNER: HELLFIRE MEDIA, LLC
600 EAST CHARLESTON BOULEVARD

6/13/19



RQR-76626 - APPLICANT/OWNER: HELLFIRE MEDIA, LLC
600 EAST CHARLESTON BOULEVARD

6/13/19



RQR-76626 - APPLICANT/OWNER: HELLFIRE MEDIA, LLC
600 EAST CHARLESTON BOULEVARD

6/13/19

LAS VEGAS
CITY COUNCIL

CAROLYN G. GOODMAN
MAYOR

STAVROS S. ANTHONY
MAYOR PRO TEM

LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
BOB COFFIN
BOB BEERS

ELIZABETH N. FRETWELL
CITY MANAGER

January 21, 2016

Ms. Kimberly Farmer
State Bar Nevada
3100 West Charleston Boulevard
Las Vegas, Nevada 89102

RE: SUP-61802 [PRJ-61465] - SPECIAL USE PERMIT RELATED TO VAR-62029
CITY COUNCIL MEETING OF JANUARY 20, 2016

Dear Ms. Farmer:

The City Council at a regular meeting held on January 20, 2016 ***APPROVED*** a request for a Special Use Permit FOR A PROPOSED 10,248 SQUARE-FOOT MUSEUM, ART DISPLAY, OR ART SALES (PRIVATE) on 0.78 acres at 600 East Charleston Boulevard (APN 162-03-501-001), P-R (Professional Office and Parking) Zone, Ward 3 (Coffin) [PRJ-61465].

This approval is subject to the following conditions:

Planning

1. No left hand turn shall be permitted from the parking lot to 6th Street. Appropriate signage and/or on-site pavement markings meeting the approval of the City Traffic Engineer shall be incorporated into the parking lot design and constructed prior to public occupancy of this use.

2. Approval of and conformance to the Conditions of Approval for Variance (VAR-62029) shall be required.

3. This Special Use Permit shall be reviewed one year from the date of issuance of a business license by the City Council. The applicant shall be responsible for notification cost of the review. Failure to pay the City for these costs may result in the revocation of the Special Use Permit.

4. All proposed signage is subject to building permit review and must comply with Title 19.08.120 for Commercial and Industrial District Sign Standards.

CITY OF LAS VEGAS
495 S. MAIN STREET
AS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

RQR-76626

5. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

6. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

7. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.

8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

The Notice of Final Action was filed with the Las Vegas City Clerk on January 21, 2016.

Sincerely,

Thomas A. Perrigo
Director
Department of Planning

TAP:clb

cc: Mr. Jeff Englehart
Hellfire Media LLC
2015 Windmill Road, Suite #2
Las Vegas, Nevada 89123

Ms. Lora Dreja
Brown, Brown & Premsrirut
520 South 4th Street
Las Vegas, Nevada 89101

RQR-76626

March 21, 2019

City of Las Vegas Planning Commission
333 N. Rancho Drive
Las Vegas, NV 89106

Attn: Special Use Permit Annual Review
Case Number: SUP-61802/ RQR-76465
Address: 600 E. Charleston Blvd. Las Vegas, NV 89104

To whom it may concern,

This document serves as our justification letter in regard to annual special permit review for ***Zak Bagans' The Haunted Museum.***

The Haunted Museum opened on October 3, 2017 and currently employs a staff of 30, in areas of security, retail, ticketing, management, and tour guides.

Our hours of operation are as follows: Monday, Wednesday-Saturday 1pm-9pm, Sunday 12pm-8pm, and we are closed on Tuesdays.

We are reporting amazing growth since our first year of being open and are happy to be a part of the revitalization effort of Downtown Las Vegas.

Since opening, we have received no complaints related to noise, parking, traffic, or otherwise.

Sincerely,

Zak Bagans, Owner

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RQR-76626
MAY 22 2019
City of Las Vegas
Department of Planning

600 E. CHARLESTON BLVD. LAS VEGAS, NV 89104

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

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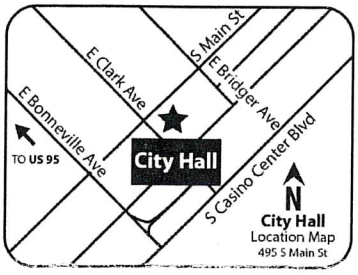

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-76626

City Council Meeting of **JULY 17, 2019**

RQR-76626
16203515049
R & A TRUST
AGUIRRE ALEJANDRO LLAMAS TRS
823 PARK PASEO
LAS VEGAS NV 89104

Submitted after final agenda
Item 77

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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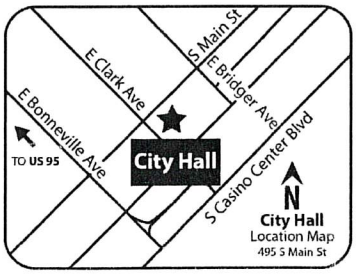

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RQR-76626

City Council Meeting of **JULY 17, 2019**

RQR-76626
16203511018
R & A TRUST ETAL
RIPP RONALD RAYMOND TRS
823 PARK PASEO
LAS VEGAS NV 89104-1533

93 DRDFNP1 89104

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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2019 JUL 15 P 12:32

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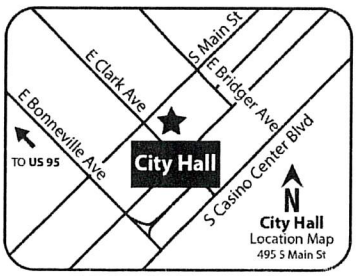

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-76626

City Council Meeting of **JULY 17, 2019**

RQR-76626
16203515050
R & A TRUST ETAL
RIPP RONALD RAYMOND TRS
823 PARK PASEO
LAS VEGAS NV 89104

93 DRDFNP1 89104

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
78

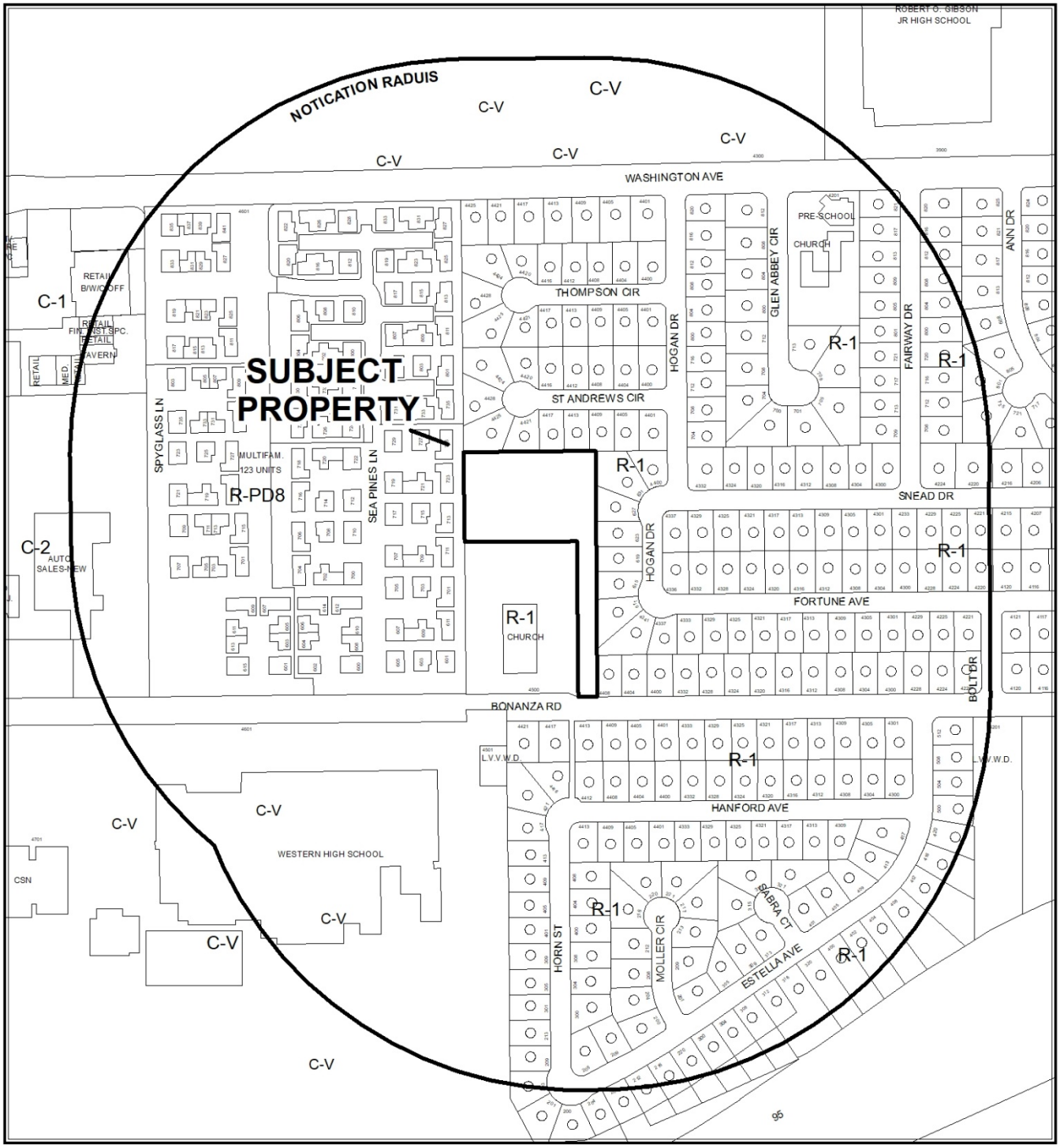
DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
VAR-75819 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Variance TO ALLOW RESIDENTIAL BUILDINGS TO HAVE A HEIGHT OF THREE STORIES WHERE TWO STORIES IS THE MAXIMUM ALLOWED ON LOT ONE OF A TWO LOT PROPOSED RESIDENTIAL SUBDIVISION on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	3	Planning Commission Mtg.	0
City Council Meeting	20	City Council Meeting	4

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend DENIAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - VAR-75819, VAR-75820, VAR-75821, SDR-75822 and TMP-75823 [PRJ-75700]
2. Conditions and Staff Report - VAR-75819, VAR-75820, VAR-75821, SDR-75822 and TMP-75823 [PRJ-75700]
3. Supporting Documentation - VAR-75819, VAR-75820, VAR-75821, SDR-75822 and TMP-75823 [PRJ-75700]
4. Photo(s) - VAR-75819, VAR-75820, VAR-75821, SDR-75822 and TMP-75823 [PRJ-75700]
5. Justification Letter - VAR-75819, VAR-75820, VAR-75821, SDR-75822 and TMP-75823 [PRJ-75700]
6. Protest/Support Postcards
7. Backup Submitted from the May 15, 2019 City Council Meeting
8. Submitted after Final Agenda – Supplemental Elevation and Revised Staff Report for VAR-75819, VAR-75820, VAR-75821, SDR-75822 and TMP-75823
9. Submitted at Meeting – Protest Petition by Kimberly Jones for VAR-75819, VAR-75820, VAR-75821, SDR-75822 and TMP-75823 and Protest Letter with Protest Documentation from 2014 by Frank Bingham for VAR-75819 and SDR-75822
10. Backup Submitted at the April 9, 2019 Planning Commission Meeting



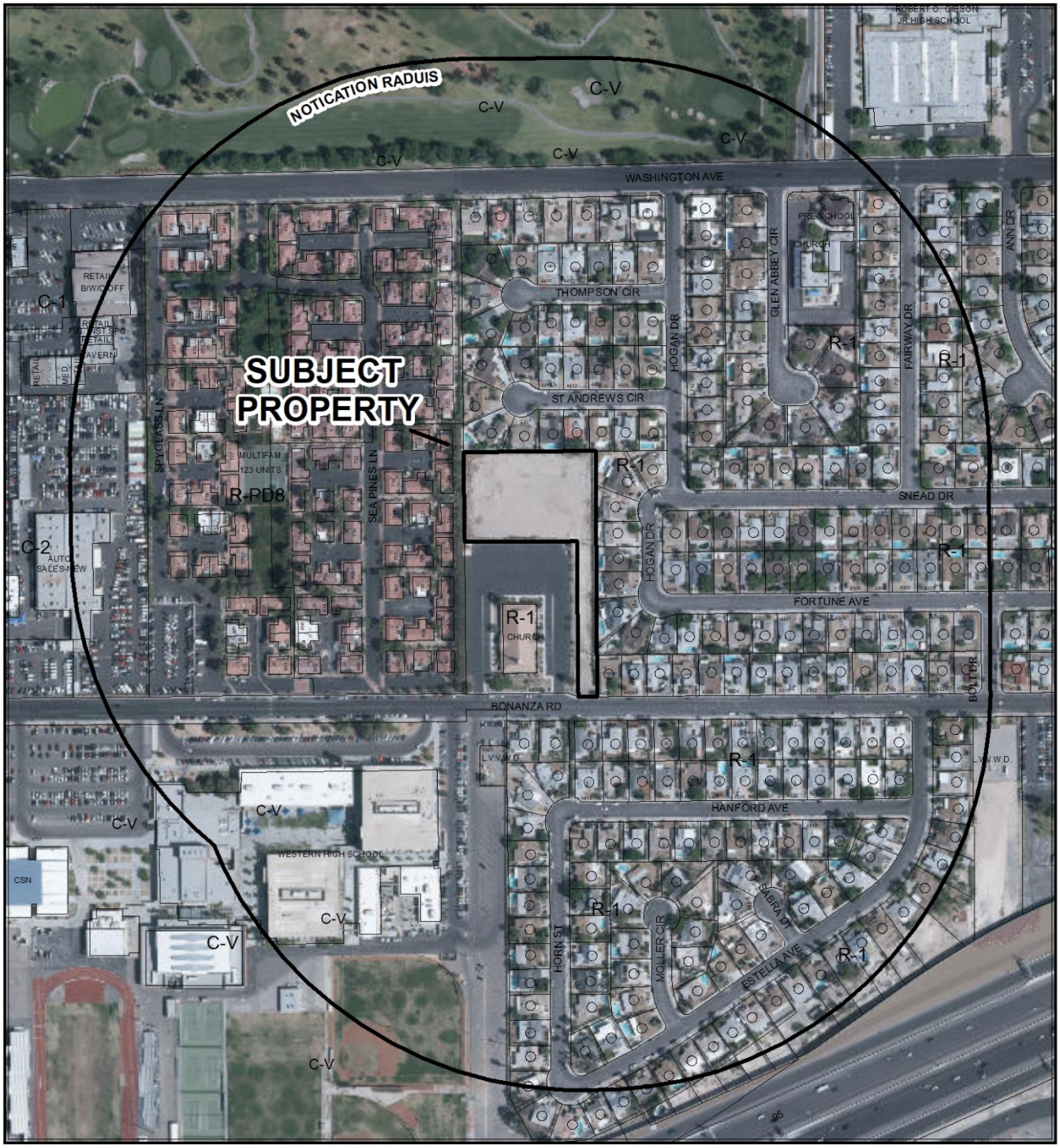
CASE: **VAR-75819, VAR-75820, VAR-75821, SDR-75822, TMP-75823 (PRJ-75700)**

0 295 590 Feet

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL)

N



CASE: **VAR-75819, VAR-75820, VAR-75821, SDR-75822, TMP-75823 (PRJ-75700)**

0 295 590 Feet

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: SK USA, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-75819	Staff recommends DENIAL, if approved subject to conditions:	
VAR-75820	Staff recommends DENIAL, if approved subject to conditions:	
VAR-75821	Staff recommends DENIAL, if approved subject to conditions:	
SDR-75822	Staff recommends DENIAL, if approved subject to conditions:	VAR-75819 VAR-75820 VAR-75821
TMP-75823	Staff recommends DENIAL, if approved subject to conditions:	VAR-75819 VAR-75820 VAR-75821 SDR-75822

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED
403 - VAR-75819 and VAR-75820 (By City Clerk)
403 - VAR-75821 and SDR-75822 (By City Clerk)
403 - TMP-75823 (By City Clerk)

PROTESTS
15 - VAR-75819 and VAR-75820
15 - VAR-75821 and SDR-75822
15 - TMP-75823

APPROVALS
3 - VAR-75819 and VAR-75820
3 - VAR-75821 and SDR-75822
3 - TMP-75823

JB

**** CONDITIONS ****

VAR-75821 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-75822) and Tentative Map (TMP-75823) shall be required, if approved.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

JB

SDR-75822 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-75821) and Tentative Map (TMP-75823) shall be required, if approved.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 05/07/19, except as amended by conditions herein.

4. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

7. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

8. Prior to the submittal of a building permit application, the applicant shall meet with Department of Planning staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

9. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

JB

Public Works

10. Private streets must be granted and labeled on the Final Map for this site as Public Utility Easements (P.U.E.), Public Sewer Easements, and Public Drainage Easements to be privately maintained by the Homeowner's Association.

11. Correct all American's with Disabilities Act (ADA) deficiencies, if any, on the sidewalk along Bonanza Road adjacent to this site in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

12. Prior to the submittal of any construction drawings, meet with City of Las Vegas Fire Engineering Department, the Traffic Engineering Department and the Sanitary Sewer Section of the Department of Public Works to discuss the final location of the proposed gate.

13. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

14. Submit a License Agreement for landscaping and private improvements in the Bonanza Road public right-of-way, if any, adjacent to this site prior to this issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the License Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's License Agreement. The installation and maintenance of all private improvements in the public right of way shall be the responsibility of the adjacent property owner(s) and shall be transferred with the sale of the property for the entire term of the License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Department of Building and Safety (702-229-4836).

15. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

JB

TMP-75822 CONDITIONS

Planning

1. Approval of the Tentative Map shall be for no more than four (4) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within four (4) years of the approval of the Tentative Map, this action is void.

2. Approval of Variance (VAR-75821) and Site Development Plan Review (SDR-75822) shall be required, if approved.

3. Street names must be provided in accordance with the City's Street Naming Regulations.

4. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.

6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. Private streets must be granted and labeled on the Final Map for this site as Public Utility Easements (P.U.E.), Public Sewer Easements, and Public Drainage Easements to be privately maintained by the Homeowner's Association.

8. Correct all American's with Disabilities Act (ADA) deficiencies, if any, on the sidewalk along Bonanza Road adjacent to this site in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

9. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

10. Submit a License Agreement for landscaping and private improvements in the Bonanza Road public right-of-way, if any, adjacent to this site prior to this issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the License Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's License Agreement. The installation and maintenance of all private improvements in the public right of way shall be the responsibility of the adjacent property owner(s) and shall be transferred with the sale of the property for the entire term of the License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Department of Building and Safety (702-229-4836).

11. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

12. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, gating, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

13. Comply with all applicable conditions of approval for Site Development Plan Review SDR-75822 and any other site related actions.

JB

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is proposing to construct an 18-unit Single-Family, Attached [Duplex] residential subdivision on a 2.14-acre undeveloped property located on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard. In addition to the standard Tentative Map (TMP-75823) and Site Development Plan Review (SDR-75822), the applicant is requesting three additional Variances (VAR-75819, VAR-75820 and VAR-75821).

ISSUES

- The Single Family, Attached (Duplex) use is permitted in the R-2 (Medium-Low Density Residential) zoning district.
- A Variance (VAR-75819) of Title 19.06.100 was originally requested to allow residential buildings to have a height of three stories where two stories is the maximum allowed on lot one of a three lot proposed residential subdivision. Staff does not support this request.
    - On May 7, 2019 the applicant submitted revised drawings which reduced the height of the proposed residential buildings to two stories in height, which complies with Title 19.06.100 development standards; therefore, Variance (VAR-75819) is no longer required.
- A Variance (VAR-75820) of Title 19.06.100 was originally requested to allow residential buildings to have a height of three stories where two stories is the maximum allowed on lot two of a three lot proposed residential subdivision. Staff does not support this request.
    - On May 7, 2019 the applicant submitted revised drawings which reduced the height of the proposed residential buildings to two stories in height, which complies with Title 19.06.100 development standards; therefore, Variance (VAR-75820) is no longer required.
- A Variance (VAR-75821) of Title 19.06.100 is required to allow a 47-foot wide access control gate where 50 feet is required; to allow sidewalks on one side where sidewalks on both sides are required and to allow a Connectivity Ratio of 1.00 where 1.30 is required. Staff does not support this request.

JB

ANALYSIS

The subject site is located in the Southeast Sector of the General Plan and has a current land use designation of ML (Medium Low Density Residential) and zoning designation of R-2 (Medium-Low Density Residential) on a 2.14-acre undeveloped property located on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard. The proposed Single Family, Attached [Duplex] use is permitted in the R-2 (Medium-Low Density Residential) zoning district.

The applicant has proposed to develop the subject 2.14 acre site into an 18-unit Single-Family, Attached [Duplex] development, which requires an associated Site Development Plan Review (SDR-75822). As proposed, the 18-unit development will have a density of 8.41 units per acre, which complies with the 8.49 units per acre maximum allowed by the ML (Medium Low Density Residential) land use designation. The applicant has proposed an associated Tentative Map (TMP-75823) for the proposed development, which will subdivide the site into three lots. Lot 1 is designated as 0.688 acres and will be developed with 10 residential units. Lot 2 is designated as 0.562 acres and will be developed with eight residential units. Lot 3 is designated as 0.889 acres and will be developed as a 47-foot wide gated private street. Furthermore, the subject site complies with Title 19.06.100 development standards, which allows 6-12 dwelling units per lot.

The submitted drawings indicate that the subject site will be comprised of three residential unit types, which are designated as Type #1, #2 and #3. The proposed development will provide eight Type #1 and Type #2 residential dwellings and ten Type #3 residential dwellings. Type #1 and #2 were originally proposed to be three stories and 35 feet in height measured to the flat roof, which does not meet Title 19.06.100 development standards, which limits building height to two stories or 35 feet. However, on May 7, 2019 the applicant submitted revised building elevation drawings which reduced the height of the proposed residential buildings to two stories and approximately 25 feet in height, which complies with Title 19.06.100 development standards. Type #3 is proposed to be two stories and approximately 25 feet in height measured to the flat roof, which does meet Title 19.06.100 development standards. The applicant originally requested two Variances (VAR-75819 and VAR-75820) to allow residential buildings to have a height of three stories where two stories is the maximum allowed on Lot #1 and Lot #2 of the proposed residential subdivision, however Variances (VAR-75819 and VAR-75820) are no longer required. The submitted elevations indicate the building facades will have a combination of “Cobblestone Path,” “Terracotta Sand,” “Barnwood Gray,” “Mink,” and “Muslin” smooth stucco with black iron railings.

JB

Access to the site is provided from Bonanza Road, which is identified as a 60-70-foot wide Minor Collector via a proposed 47.5-foot wide private street with a gated entrance. Pursuant to Title 19.04.070(B), "Where access control gates are to be used in conjunction with private streets, the principal vehicular entrance gate must have a minimum width of 50 feet." The applicant has requested a Variance (VAR-75821) to allow the proposed 47.5-foot wide private street with access control gate where 50 feet is required. Furthermore, the Department of Public Works has indicated that the location of the proposed gate for this site conflicts with Traffic Engineering, Fire Department and Sanitary Sewer guidelines, which will require relocation of the proposed sewer line.

Pursuant to Title 19.04.230 Private Gated Community Streets development standards, private streets are required to comply with three available street cross sections, which are 24 feet, 28 feet and 33 feet wide, respectively, with a sidewalk on one side. As the proposed 47.5-foot wide private street with sidewalk does not comply with the three available cross sections, the proposed private street must then comply with the minimum construction standards for public streets. Pursuant to Title 19.04.220 the 47-foot Residential Street (Narrow Lot) development standards, the proposed private street must provide a five-foot sidewalk on both sides of the street. Since the proposed private street does not comply with this standard, the applicant has requested a Variance (VAR-75821) to allow sidewalks on one side where sidewalks on both sides are required.

Also, pursuant to Title 19.04.040 development within the R-2 (Medium-Low Density Residential) zoning district all residential development is subject to the minimum 1.30 Connectivity Ratio (links/nodes). As the proposed development consists of one link and one node, the applicant has requested a Variance (VAR-75821) to allow a Connectivity Ratio of 1.00 where 1.30 is the minimum required for the proposed development.

The on-site parking area is located within the interior of the subject site. The site will provide driveways for each unit with space for two unimpeded vehicles, which complies with the 36 parking spaces required by Title 19.06.100. Pursuant to Title 19.06.100 Table 6, "for any use approved for this district other than Single-Family Residential (Attached or Detached) the on-site parking requirements shall be as outlined in LVMC 19.12.060," which requires additional guest parking. However, as the subject site is proposed to be a 18-unit Single-Family, Attached [Duplex] development, Title 19.06.100 Table 6 requires a minimum of two unimpeded spaces per dwelling unit.

Pursuant to Title 19.06.100 Table 5, a six-foot landscape buffer is required adjacent to the right-of-way for residential developments with five or more lots. As the proposed, Tentative Map (TMP-75821) only proposes to develop three lots, no perimeter landscaping is required for the proposed development. However, the applicant has submitted a proposed landscape plan for the development. The submitted landscape plan indicates a combination of 24-inch box "Chaste", "Italian Stone Pine", "Italian Cypress" and "Windmill Palm" trees and five-gallon "Compact Desert Ranger", "Feathery Cassia", "Desert Ruellia" and "Desert Bluestar" shrubs will be planted throughout the site.

JB

Staff notes that the submitted cross sections show elevations indicating a relatively flat area. The site is surrounded by walls and no new walls appear to be proposed. Although the subject site is a flag-shaped lot, staff finds that the subject sites provides an adequate buildable area, which would allow compliance with Title 19 development standards. As such, staff notes the subject site does not provide a significant hardship to warrant approval of the requested Variances, as the development could be redesigned to provide further compliance with Title 19. As the proposed development is inconsistent with Title 19 development standards pertaining to building height and 19.04 Complete Street development standards, staff recommends denial of the three Variances, Site Development Plan Review and associated Tentative Map request.

FINDINGS (VAR-75821)

In accordance with the provisions of Title 19.16.140(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

> "Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by requesting to develop a private street which does not meet Title 19.04 Complete Street development standards. Alternative street design would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (SDR-75822)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   The proposed 18-unit Single Family, Attached [Duplex] development is not compatible with the adjacent single-family residential and commercial development in the area, as evidenced by the required Variances to allow deviations from Title 19.04 Complete Street and Title 19.06.100 building height development standards.

2. **The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;**

   The proposed 18-unit Single Family, Attached [Duplex] development does not comply with established and Title 19.04 Complete Street and Title 19.06.100 building height development standards as evidenced by the requested Variances.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

   Primary site access is from Bonanza Road, which is classified as a 60 to 70-foot Minor Collector Street in Title 13, which provides adequate capacity to serve the proposed use. Access to the site is provided from a proposed 47.5-foot wide private street with a gated entrance. Pursuant to Title 19.04.070(B), "Where access control gates are to be used in conjunction with private streets, the principal vehicular entrance gate must have a minimum width of 50 feet. The applicant has requested a Variance (VAR-75821) to allow the proposed 47.5-foot wide private street with access control gate where 50 feet is required. Furthermore, the Department of Public Works has indicated that the location of the proposed gate for this site conflicts with Traffic Engineering, Fire Department and Sanitary Sewer guidelines, which will require relocation of the proposed sewer line.

4. **Building and landscape materials are appropriate for the area and for the City;**

   The project design and style are appropriate for the subject location and will be harmonious with buildings in the surrounding area. The submitted elevations indicate the building facades will have a combination of "Cobblestone Path", "Terracotta Sand," "Barnwood Gray," "Mink," and "Muslin" smooth stucco with black iron railings. The proposed landscape buffers will have a combination of trees and shrubs which are consistent with the Southern Nevada Regional Plant List.

JB

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

   The design characteristics of the proposed building elevations are not unsightly, undesirable, or obnoxious compatible, they are compatible with development in the surrounding area.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

   The proposed residential development will be subject to inspections in order to protect the public health, safety and general welfare by City staff.

FINDINGS (TMP-75822)

The proposed Tentative Map conforms to Nevada Revised Statutes. However, staff has determined that the Tentative Map does not conform Title 19, as evidenced by the requested Variance to allow deviations from Title 19.04 Complete Street development standards. Therefore, staff recommends denial of this application.

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc	
01/18/61	The Board of City Commissioners approved a Rezoning (Z-0061-60) from R-E (Residence Estates) to R-1 (Single Family Residential) between Bonanza Road and Washington Avenue, approximately 1,320 feet east of the centerline of Decatur Boulevard. The Planning Commission and staff recommended approval. The property was hard zoned on 07/26/61.
10/24/73	The Board of City Commissioners denied a request for Rezoning (Z-0083-73) from R-E (Residence Estates) to R-1 (Single Family Residential) on approximately 5.00 acres on the north side of Bonanza Road, approximately and Washington Avenue, approximately 1,320 feet east of Decatur Boulevard. The Planning Commission recommended approval.
09/27/12	A two-lot Parcel Map (PMP-43732) on 4.95 acres at 4500 West Bonanza Road was recorded. The zoning for this site was R-1 (Single Family Residential) at this time.

JB

Related Relevant City Actions by Planning, Fire, Bldg., etc	
11/19/14	The City Council voted to Withdraw Without Prejudice a request for a General Plan Amendment (GPA-55775) from PF (Public Facilities) to ML (Medium Low Density Residential) on 2.19 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard. The Planning Commission recommended denial; staff recommended approval.
	The City Council voted to Withdraw Without Prejudice a request for a Rezoning (ZON-55777) from R-1 (Single Family Residential) to R-3 (Medium Density Residential) on 2.19 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard. The Planning Commission recommended denial; staff recommended approval.
	The City Council voted to Withdraw Without Prejudice a request for a Site Development Plan Review (SDR-55779) for a proposed 39-unit multi-family residential development with a Waiver to allow a zero-foot perimeter landscape buffer along a portion of the west property line where six feet is required on 2.19 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard. The Planning Commission recommended denial; staff recommended approval.
09/06/17	The City Council approved a request for a General Plan Amendment (GPA-70682) from PF (Public Facilities) to ML (Medium Low Density Residential) on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard. The Planning Commission and staff recommended approval of the request.
	The City Council approved a request for a Rezoning (ZON-70683) from R-1 (Single Family Residential) to R-2 (Medium-Low Density Residential) on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard. The Planning Commission and staff recommended approval of the request.
04/09/19	The Planning Commission unanimously voted to recommend DENIAL of the following requests: • Variance (VAR-75819) TO ALLOW RESIDENTIAL BUILDINGS TO HAVE A HEIGHT OF THREE STORIES WHERE TWO STORIES IS THE MAXIMUM ALLOWED ON LOT ONE OF A TWO LOT PROPOSED RESIDENTIAL SUBDIVISION • Variance (VAR-75820) TO ALLOW RESIDENTIAL BUILDINGS TO HAVE A HEIGHT OF THREE STORIES WHERE TWO STORIES IS THE MAXIMUM ALLOWED ON LOT TWO OF A TWO LOT PROPOSED RESIDENTIAL SUBDIVISION

JB

Related Relevant City Actions by Planning, Fire, Bldg., etc	
04/09/19	• Variance (VAR-75821) TO ALLOW A 47-FOOT WIDE ACCESS CONTROL GATE WHERE 50 FEET IS REQUIRED; TO ALLOW SIDEWALKS ON ONE SIDE WHERE SIDEWALKS ON BOTH SIDES ARE REQUIRED AND TO ALLOW A CONNECTIVITY RATIO OF 1.00 WHERE 1.30 IS REQUIRED • Site Development Plan Review (SDR-75822) FOR A PROPOSED 18-UNIT RESIDENTIAL SUBDIVISION • Tentative Map (TMP-75823) FOR A THREE-LOT RESIDENTIAL SUBDIVISION on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700].
05/15/19	The City Council unanimously voted to hold the following items in ABEYANCE to the July 17, 2019 City Council Meeting in an effort to allow the applicant an opportunity to host a neighborhood meeting. • Variance (VAR-75819) TO ALLOW RESIDENTIAL BUILDINGS TO HAVE A HEIGHT OF THREE STORIES WHERE TWO STORIES IS THE MAXIMUM ALLOWED ON LOT ONE OF A TWO LOT PROPOSED RESIDENTIAL SUBDIVISION • Variance (VAR-75820) TO ALLOW RESIDENTIAL BUILDINGS TO HAVE A HEIGHT OF THREE STORIES WHERE TWO STORIES IS THE MAXIMUM ALLOWED ON LOT TWO OF A TWO LOT PROPOSED RESIDENTIAL SUBDIVISION • Variance (VAR-75821) TO ALLOW A 47-FOOT WIDE ACCESS CONTROL GATE WHERE 50 FEET IS REQUIRED; TO ALLOW SIDEWALKS ON ONE SIDE WHERE SIDEWALKS ON BOTH SIDES ARE REQUIRED AND TO ALLOW A CONNECTIVITY RATIO OF 1.00 WHERE 1.30 IS REQUIRED • Site Development Plan Review (SDR-75822) FOR A PROPOSED 18-UNIT RESIDENTIAL SUBDIVISION • Tentative Map (TMP-75823) FOR A THREE-LOT RESIDENTIAL SUBDIVISION on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700].

Most Recent Change of Ownership	
11/09/15	A deed was recorded for a change in ownership.

JB

Related Building Permits/Business Licenses
There are no related Building Permit or Business Licenses associated with the subject site.

Pre-Application Meeting	
01/30/19	A pre-application meeting was held to discuss submittal requirements for applications related to a proposed Variance, Site Development Plan Review and Tentative Map for a proposed duplex single-family residential (condominium) development.

Neighborhood Meeting	
06/17/19	A neighborhood meeting was held scheduled at the Las Vegas Golf Club at 4300 West Washington Avenue at 6:00 pm to discuss the proposed residential development on the subject site, Assessor's Parcel 139-30-306-003. The meeting was attended by one staff member; there were fifteen (15) members of the public at the meeting which raised the following concerns to the proposed development. **Issues** 1. Concerns were raised about if the zoning was being amended. a. The owner indicated that the zoning was not being amended from R-2 (Medium-Low Density Residential). 2. Concerns were raised about the overall height of the structures. Adjacent residents would prefer one-story height to match the residences to the north and east of the subject site. a. The owner indicated that the structures height had been lowered from three stories, 35 feet to two stories, 27 feet. 3. Will the proposed gate to the development have a guard or be mechanical. a. The applicant's representative indicated the gate would be mechanical. He explained that the gate has been proposed to provide additional security for the subject site and will prevent vandalism to the adjacent residential properties and subject site. 4. How will the development be screened from the surrounding homes which are primarily one story in height? a. The applicant's representative provided a residential adjacency exhibit, which exhibited view angles into the adjacent properties to the north. He indicated that the applicant intends on installing an additional six-foot screen wall with three-foot retaining wall to provide additional screening into the adjacent properties to the north. He further indicated that the wall on the east perimeter of the site could be raised to eight-feet.

JB

Neighborhood Meeting	
06/17/19	5. Concerns were raised about existing traffic in the area caused by the High School located on Bonanza Avenue. a. The applicant's representative explained the traffic studies show residential development to be one of the lowest trip generators. He further explained that he estimates the proposed development would create approximately nine additional trips during the peak two hour period during the morning and evening.

Field Check	
02/28/19	During a routine site inspection staff observed an undeveloped site free of trash and debris, with natural desert vegetation.

Details of Application Request	
Site Area	
Net Acres	2.14

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	ML (Medium Low Density Residential)	R-2 (Medium-Low Density Residential)
North	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
South	Church/House of Worship	PF (Public Facilities)	R-1 (Single Family Residential)
East	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single Family, Detached and Attached	ML (Medium Low Density Residential)	R-PD8 (Residential Planned Development – 8 Units per Acre)
	Church/House of Worship	PF (Public Facilities)	R-1 (Single Family Residential)

JB

Master and Neighborhood Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Area and Overlay Districts	***Compliance***
A-O (Airport Overlay) District (105 Feet)	Y
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.100, the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Size (Lot #1)	6,500 SF	29,993 SF	Y
Min. Lot Size (Lot #2)	6,500 SF	24,503 SF	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	5 Feet	5 Feet	Y
• Rear	20 Feet	20 Feet	Y
Min. Distance Between Buildings	10 Feet	10 Feet	Y
Max. Building Height	Two Stories or 35 Feet	Two Stories, 25.25 Feet	Y

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Bonanza Road	Minor Collector	Title 13	60-70	Y

JB

19.04.040 Connectivity		
Transportation Network Element	***# Links***	***# Nodes***
Internal Street	1	-
Intersection – Internal	-	-
Cul-de-sac Terminus	-	1
Intersection – External Street or Stub Terminus	-	-
Intersection – Stub Terminus w/ Temporary Turn Around Easements	-	-
Non-Vehicular Path - Unrestricted	-	-
Total	1.00	1.0

	Required	***Provided***
Connectivity Ratio (Links / Nodes):	**1.30**	**1.00**

**The applicant has requested a Variance (VAR-75821) to allow a connectivity ratio of 1.00 where 1.30 is required*

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Single-Family Residential (Duplex)	18 du	2 spaces per du	36				
TOTAL SPACES REQUIRED			36		36		Y*
Regular and Handicap Spaces Required			36	0	36	0	Y*

**Pursuant to Title 19.06.100 Table 6 "any use approved for this district other than Single Family Residential (Attached or Detached) the on-site parking requirements shall be as outlined in LVMC 19.12.060, which requires additional guest parking. However, as the subject site is proposed to be an 18-unit Single Family, Attached (Duplex) development; Title 19.06.100 Table 6 requires a minimum of two unimpeded spaces per dwelling unit.*

JB

Print Form

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) TENTATIVE MAP / WAIVER OF STANDARDS

Project Address (Location) North side of Bonanza Road approximately 1630 ft east of intersection of Decatur Blvd.

Project Name Montage Estates **Proposed Use** R-2 (Residential Condos)

Assessor's Parcel #(s) 139-30-306-003 **Ward #** 5 - Cedric Crear

General Plan: Existing ML Proposed _____ **Zoning:** Existing R-2 Proposed _____

Additional Information R-2 Zoning Requires 6500 sq.ft. lots and a maximum of 6-12 dwelling units per lot. In light of this aspect, a parcel map will subdivide into 2 lots, then a condo map for 10 units on Lot 1 and a condo map for 8 units on Lot 2. A total of 3 maps.

Property Owner SK USA, LLC Contact George Varhelyi
Address 7345 S. Durango Drive, Suite B107-140 City Las Vegas State NV Zip 89113
E-mail GV23lasvegas@gmail.com Phone (702) 461-6847

Applicant SK USA, LLC Contact Csaba Meiszburger
Address 7345 S. Durango Drive, Suite B107-140 City Las Vegas State NV Zip 89113
E-mail CsabaMeiszburger@me.com Phone (702) 237-4070

Representative SK USA, LLC. Contact Csaba Meiszburger
Address 7345 S. Durango Drive, Suite B107-140 City Las Vegas State NV Zip 89113
E-mail CsabaMeiszburger@me.com Phone (702) 237-4070

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company? ☐ Yes ☐ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official _____ **Partner(s)** _____

Partner(s) _____

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature GVarhelyi
An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name GEORGE VARHELYI

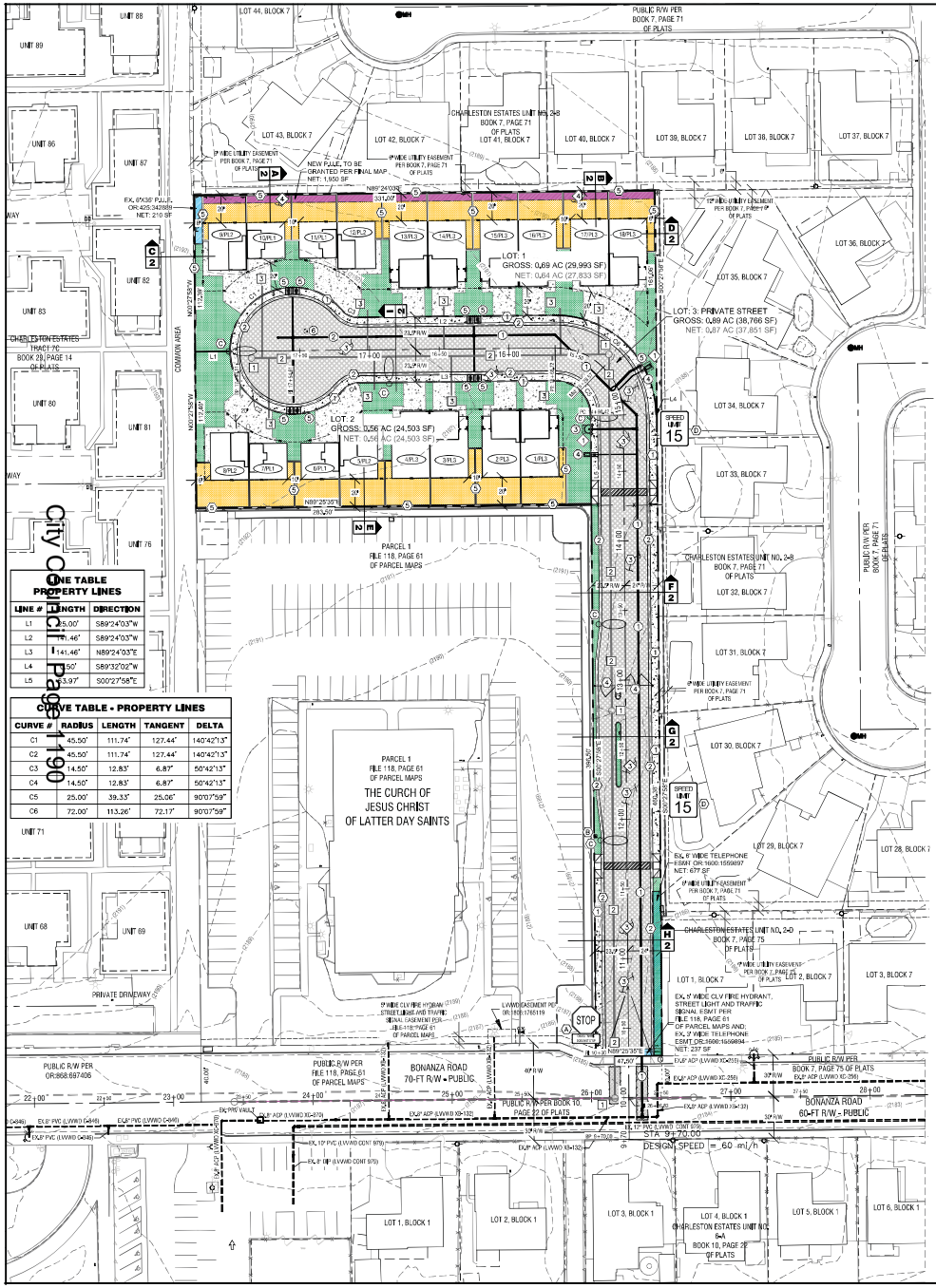
Subscribed and sworn before me State of Nevada County of Clark

This 22nd day of January 20 19

Jim Liaos
Notary Public in and for said County and State

JIM LIAOS
Notary Public - State of Nevada
County of Clark
APPT. NO. 07-1102-1
My App. Expires Dec. 29, 2022

PRJ-75700
02/19/19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LOT 43, BLOCK 7
LOT 42, BLOCK 7
LOT 41, BLOCK 7
LOT 40, BLOCK 7
LOT 39, BLOCK 7
LOT 38, BLOCK 7
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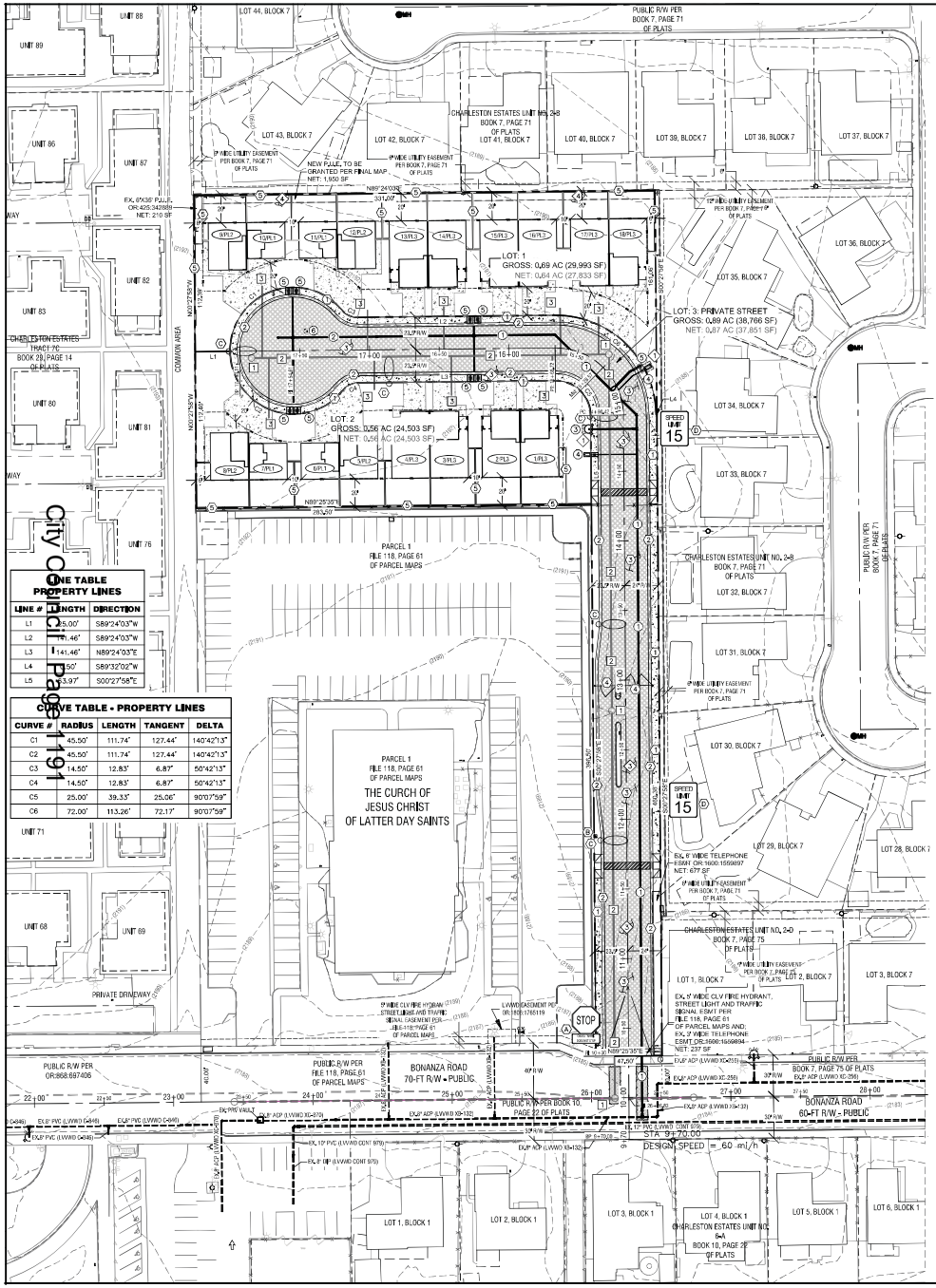
LOT 36, BLOCK 7
LOT 35, BLOCK 7
LOT 34, BLOCK 7
LOT 33, BLOCK 7
LOT 32, BLOCK 7
LOT 31, BLOCK 7
LOT 30, BLOCK 7
LOT 29, BLOCK 7
LOT 28, BLOCK 7
LOT 1, BLOCK 7
LOT 2, BLOCK 7
LOT 3, BLOCK 7
LOT 1, BLOCK 1
LOT 2, BLOCK 1
LOT 3, BLOCK 1
LOT 4, BLOCK 1
LOT 5, BLOCK 1
LOT 6, BLOCK 1
LOT: 1
GROSS: 0.69 AC (29,993 SF)
NET: 0.64 AC (27,833 SF)
LOT: 2
GROSS: 0.56 AC (24,503 SF)
NET: 0.56 AC (24,503 SF)
LOT: 3: PRIVATE STREET
GROSS: 0.89 AC (38,766 SF)
NET: 0.87 AC (37,851 SF)
PARCEL 1
FILE 118, PAGE 61
OF PARCEL MAPS
THE CURCH OF
JESUS CHRIST
OF LATTER DAY SAINTS
CHARLESTON ESTATES UNIT NO. 2-A
BOOK 7, PAGE 71
OF PLATS
CHARLESTON ESTATES UNIT NO. 2-B
BOOK 7, PAGE 71
OF PLATS
CHARLESTON ESTATES UNIT NO. 2-D
BOOK 7, PAGE 75
OF PLATS
CHARLESTON ESTATES UNIT NO. 3
BOOK 10, PAGE 28
OF PLATS
PUBLIC R/W PER
BOOK 7, PAGE 71
OF PLATS
PUBLIC R/W PER
BOOK 7, PAGE 75 OF PLATS
PUBLIC R/W PER
FILE 118, PAGE 61
OF PARCEL MAPS
PUBLIC R/W PER
BOOK 10, PAGE 28
OF PLATS
PAGE 22 OF PLATS
BONANZA ROAD
70-FT R/W - PUBLIC
BONANZA ROAD
60-FT R/W - PUBLIC
PRIVATE DRIVEWAY
NEW PLUE, TO BE
GRANTED PER FINAL MAP
NET: 1,950 SF
EX. 67X38 PLUE
OR:425:342889
NET: 210 SF
EX. 8" DIP (LVWD CONT 570)
EX. 12" PVC (LVWD CONT 570)
EX. 8" PVC (LVWD C-438)
EX. 12" PVC (LVWD C-438)
DUP ADP (LVWD XC-255)
DUP ADP (LVWD XC-132)
DUP ADP (LVWD XC-134)
DUP ADP (LVWD XC-135)
EX. 8" WATER LINE
EX. 8" SEWER LINE
EX. 8" DIP (LVWD CONT 570)
EX. 12" PVC (LVWD CONT 570)
EX. 8" PVC (LVWD C-438)
EX. 12" PVC (LVWD C-438)
EX. 8" DIP (LVWD CONT 570)
EX. 12" PVC (LVWD CONT 570)
EX. 8" PVC (LVWD C-438)
EX. 12" PVC (LVWD C-438)
EX. 8" DIP (LVWD CONT 570)
EX. 12" PVC (LVWD CONT 570)
EX. 8" PVC (LVWD C-438)
EX. 12" PVC (LVWD C-438)
STA 9+70.00
DESIGN SPEED = 60 mi/h
STOP
SPEED LIMIT 15
SPEED LIMIT 15
UNIT 68
UNIT 69
UNIT 71
UNIT 76
UNIT 80
UNIT 81
UNIT 82
UNIT 83
UNIT 86
UNIT 87
UNIT 88
UNIT 89
CHARLESTON ESTATES
TRACT 70
BOOK 28, PAGE 14
OF PLATS
COMMON AREA
N89°25'35"E
283.20'
N89°25'35"E
283.20'
N89°25'35"E
283.20'


LOT 44, BLOCK 7
LOT 43, BLOCK 7
LOT 42, BLOCK 7
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LOT 36, BLOCK 7
LOT 35, BLOCK 7
LOT 34, BLOCK 7
LOT 33, BLOCK 7
LOT 32, BLOCK 7
LOT 31, BLOCK 7
LOT 30, BLOCK 7
LOT 29, BLOCK 7
LOT 28, BLOCK 7
LOT 3, BLOCK 7
LOT 2, BLOCK 7
LOT 1, BLOCK 7
LOT 1: GROSS: 0.69 AC (29,993 SF) NET: 0.64 AC (27,833 SF)
LOT 2: GROSS: 0.56 AC (24,503 SF) NET: 0.56 AC (24,503 SF)
LOT 3: PRIVATE STREET GROSS: 0.89 AC (38,766 SF) NET: 0.87 AC (37,851 SF)
PARCEL 1 FILE 118, PAGE 61 OF PARCEL MAPS
THE CURCH OF JESUS CHRIST OF LATTER DAY SAINTS
CHARLESTON ESTATES UNIT NO. 2-8 BOOK 7, PAGE 71 OF PLATS
CHARLESTON ESTATES UNIT NO. 2-9 BOOK 7, PAGE 75 OF PLATS
CHARLESTON ESTATES UNIT NO. 2-D BOOK 7, PAGE 75 OF PLATS
CHARLESTON ESTATES UNIT NO. 2-C BOOK 10, PAGE 28 OF PLATS
PUBLIC R/W PER BOOK 7, PAGE 71 OF PLATS
PUBLIC R/W PER BOOK 7, PAGE 75 OF PLATS
PUBLIC R/W PER FILE 118, PAGE 61 OF PARCEL MAPS
PUBLIC R/W PER BOOK 10, PAGE 28 OF PLATS
BONANZA ROAD 70-FT R/W - PUBLIC
BONANZA ROAD 60-FT R/W - PUBLIC
PRIVATE DRIVEWAY
NEW P.U.E., TO BE GRANTED PER FINAL MAP
EX. 6"X36" P.U.E. OR 425:342889 NET: 210 SF
EX. 8" W.U.E. PER BOOK 7, PAGE 71 OF PLATS
EX. 8" W.U.E. PER BOOK 7, PAGE 75 OF PLATS
EX. 8" W.U.E. PER BOOK 7, PAGE 71 OF PLATS
EX. 8" W.U.E. PER BOOK 7, PAGE 71 OF PLATS
EX. 8" W.U.E. PER BOOK 7, PAGE 75 OF PLATS
EX. 8" W.U.E. PER BOOK 7, PAGE 71

SHRUBS, 5 GAL MIN.



COMPACT DESERT RANGER



FEATHERY CASSIA



DESERT RUELLIA

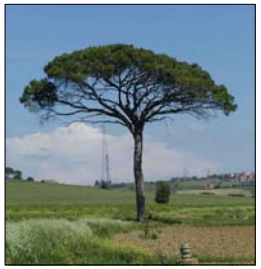


DESERT BLUESTAR

BOX TREES, 24" MIN.



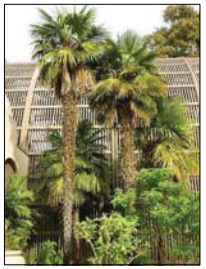
CHASTE TREE



ITALIAN STONE PINE



ITALIAN CYPRESS



WINDMILL PALM

TRELLISES AND GROUND COVER



SEE BUILDING ELEVATION FOR QUANTITY, LOCATIONS, AND DIMENSIONS OF TRELLIS



VIRGIN'S BOWER

CONCRETE FINISHES



AGGREGATE SURFACE



TYPICAL CONCRETE WALK

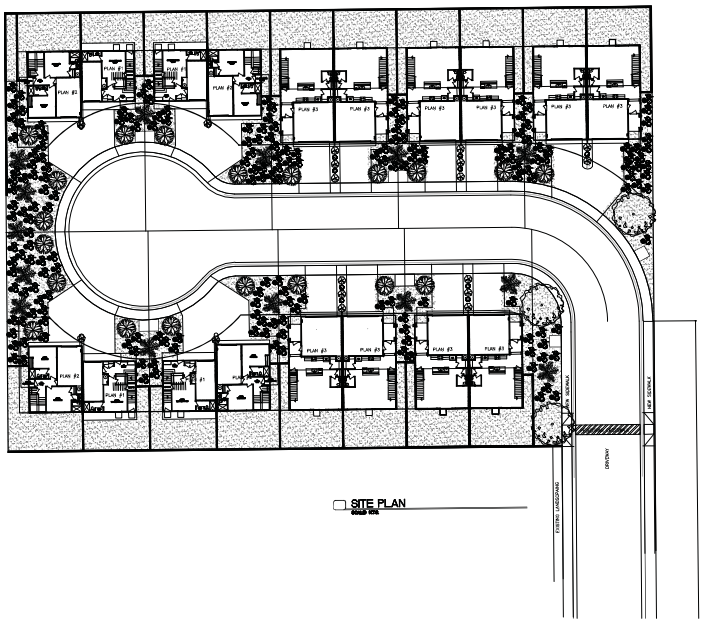


CRUSHED GRANITE

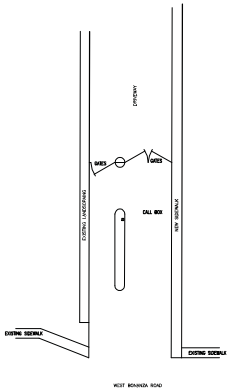
GROUND COVER TO BE DROUGHT TOLERANT



BOOTHILL EUPATORIUM



SITE PLAN



LANDSCAPE PLAN

NORTH

PRJ-75700
05/07/19

LARRY TINDALL
RESIDENTIAL DESIGNER
FAX (702) 896-4332

MONTAGE ESTATES

LARRY TINDALL
RESIDENTIAL DESIGNER

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OFFICE (702) 897-5397
LAS VEGAS, NEVADA 89123

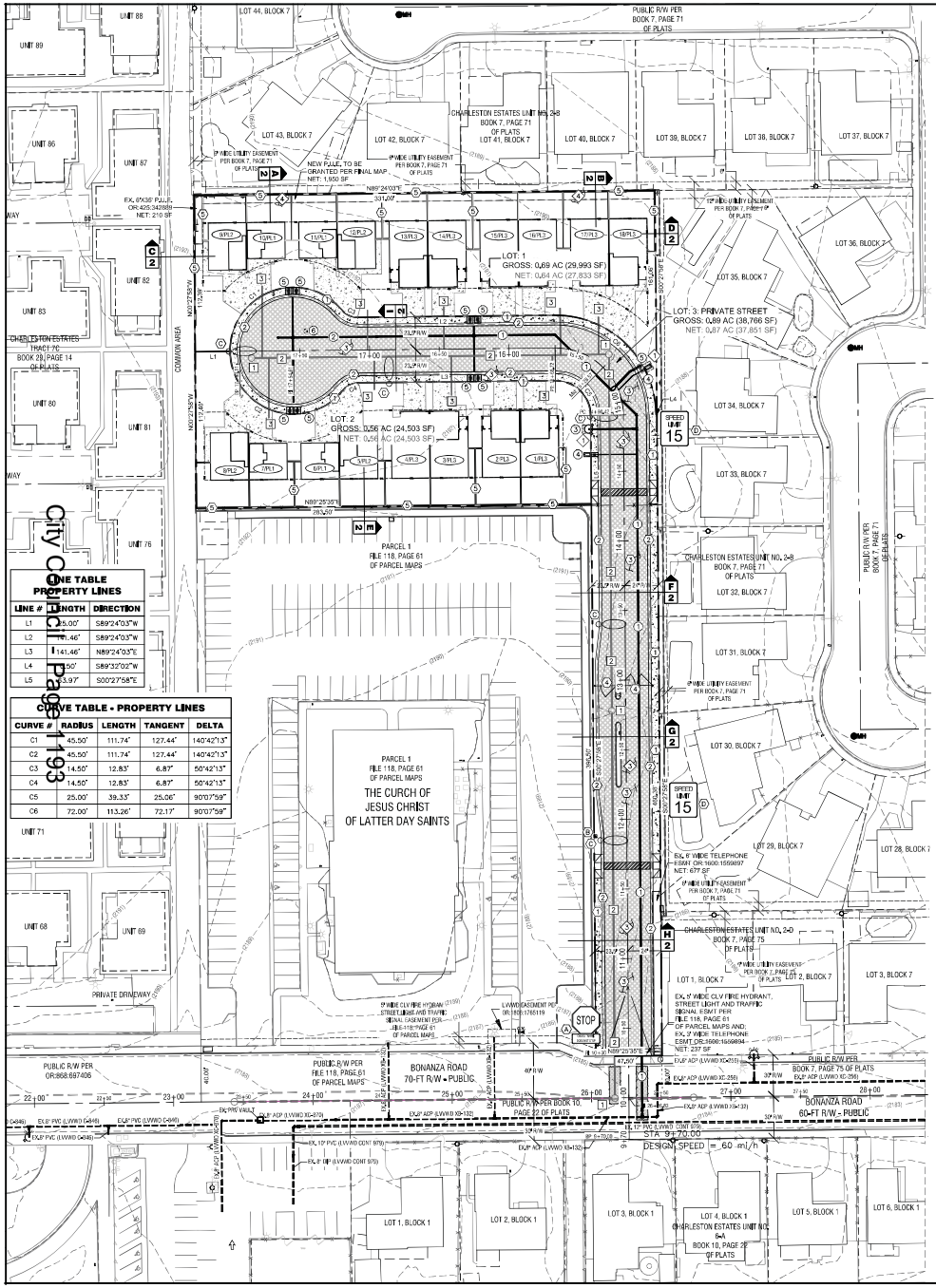
REVISION	DATE	NOTES

LANDSCAPE PLAN

JOB NO.: AGID
FILE NAME:
DATE: 10-23-18
UPDATE:

AL010

1761 CARLOS DR



LINE #	LENGTH	DIRECTION
L1	25.00'	S89°24'03"W
L2	6.46'	S89°24'03"W
L3	141.46'	N89°24'03"E
L4	6.50'	S89°32'02"W
L5	53.97'	S00°27'58"E

CURVE #	RADIUS	LENGTH	TANGENT	DELTA
C1	45.50'	111.74'	127.44'	140°42'13"
C2	45.50'	111.74'	127.44'	140°42'13"
C3	14.50'	12.83'	6.87'	50°42'13"
C4	14.50'	12.83'	6.87'	50°42'13"
C5	25.00'	39.33'	25.06'	90°07'59"
C6	72.00'	113.26'	72.17'	90°07'59"

EASEMENT / DEDICATION NOTES:

1. 6-FT X 6-FT WATER EASEMENT TO BE GRANTED TO THE LAS VEGAS VALLEY WATER DISTRICT BY SEPARATE DOCUMENT.
2. NOT USED
3. PRIVATE STREET EASEMENT, UTILITY EASEMENT, DRAINAGE EASEMENT, AND CITY OF LAS VEGAS PUBLIC SEWER EASEMENT PER FINAL MAP TO BE PRIVATELY MAINTAINED.
4. 6-FT WIDE POWER EASEMENT ALONG NORTH BOUNDARY TO BE GRANTED TO NEVADA ENERGY PER FINAL MAP TO BE PRIVATELY MAINTAINED

SEWER CONSTRUCTION NOTES

[X] SEWER NOTE SYMBOL

1. INSTALL 48-IN SSMH PER DACSWCS STD DWG SD1A/SD7, SINGLE 24" UD
2. INSTALL 8-IN AWWA C900 WATER QUALITY PVC SEWER PIPE
3. INSTALL 6-IN PVC SEWER LATERAL PER DACSWCS STD DWG SD22 FOR EACH BUILDING. MINIMUM SLOPE 2% MIN.

WATER NOTES -

(W) WATER CONSTRUCTION NOTE #

1. INSTALL 8" C900 (CLASS 150) PVC WATER LINE
2. INSTALL 6" C900 (CLASS 150) PVC WATER LINE
3. FIRE HYDRANT INSTALLATION PER UDACS STD PLT 40 CONDITION C. A MINIMUM 3-FT CLEARANCE FROM THE BARREL OF THE FIRE HYDRANT TO ANY OBSTRUCTION. CURBING TO BE PAINTED WITH A SUITABLE COAT OF INDUSTRIAL GRADE ENAMEL (SAFETY RED) W/ "FIRE LANE, NO PARKING"
4. INSTALL 5/8-INCH METER AND 1-INCH RPPA FOR IRRIGATION USE PER UDACS STD PLT 4 AND PLT 8 WITH 1-INCH BRASS PIPE BETWEEN METER AND RPPA. CONNECT TO PROPOSED WATER MAIN WITH 1-INCH TYPE-K COPPER WATER LINE AND SERVICE SADDLE.
5. INSTALL 3/4-INCH DUAL RESIDENTIAL SERVICE PER UDACS STD PLT 7 FOR DOMESTIC USE. CONNECT TO PROPOSED WATER MAIN WITH 1-INCH TYPE-K COPPER WATER LINE AND SERVICE SADDLE
6. ABANDON EXISTING WELL IN ACCORDANCE WITH THE PROVISIONS CONTAINED IN THE NEVADA ADMINISTRATIVE CODE (NAC) 534.4365, AND ALL OTHER APPLICABLE RULES AND REGULATIONS FOR DRILLING/PLUGGING WELLS IN THE STATE OF NEVADA. REFER TO WELL ABANDONMENT NOTE.

CONSTRUCTION NOTES:

(V) SYMBOL

1. PROVIDE MINIMUM 5-FT WIDE SIDEWALK PER USDCCA STD DWG #234
2. CONSTRUCT R-TYPE CURB AND GUTTER PER USDCCA STD DWG #217.3.S1
3. CONSTRUCT CUL-DE-SAC AND PRIVATE STREET PER USDCCA STD DWG #212. REFER TO DEVIATION FROM STANDARDS ON SHEET C2.
   3.1. CUL-DE-SAC AND PRIVATE STREET: 2.5 INCHES AC OVER 4.5 TYPE II
4. PROVIDE ACCESS CONTROL GATES TO COMPLY WITH TITLE 19.04.230
5. CONSTRUCT 6-FT CMU SCREEN WALL. IN AREAS WHERE RETAINING WALLS ARE REQUIRED, MAXIMUM RETAINING HEIGHT VARIES UP TO 3-FT AND THE TOTAL WALL HEIGHT SHALL NOT EXCEED 9-FT.
   5.1. SIX (6) FOOT HIGH RESIDENTIAL WALL SHALL BE CONSTRUCTED AS A BUFFER WHEN REQUIRED. THE SEPARATION BETWEEN THE WALLS SHALL BE FOUR (4) INCHES OR LESS. THE AREA BETWEEN THE WALLS SHALL BE KEPT FREE OF DEBRIS AND WEEDS.

TRAFFIC CONSTRUCTION NOTES

(X) SYMBOL

A. INSTALL 30-INCH R-1 STOP SIGN WITH TWO 9-INCH D3 STREET NAME SIGNS ON TOP PER USDCCA STD DWG #249 AT PRIVATE STREET AND BONANZA ROAD
B. INSTALL 200-AMP SERVICE PEDESTAL PER USDCCA STD DWG 331 AND FOUNDATION PER USDCCA STD DWG 332.5
C. INSTALL 100W LED EQUIVALENT STREETLIGHT PER USDCCA STD DWG #207.3,S1, #311.1
D. INSTALL R2-1 SPEED LIMIT SIGN (15 MPH)

DEVIATION FROM STANDARDS

1. ALLOW AN EXTENDED CUL-DE-SAC LENGTH WHERE 500-FT IS REQUIRED PER USDCCA #213; PERMISSIVE UP TO 600-FT PER LVMC TITLE 19.04.100; EXTENSION AS SHOWN WITH FIRE DEPARTMENT APPROVAL PROVIDED THAT ALL BUILDINGS ARE EQUIPPED WITH AN AUTOMATIC FIRE SPRINKLER SYSTEM.
2. PRINCIPAL VEHICULAR ENTRANCE GATE MUST HAVE MINIMUM WIDTH OF 50--FT. GATE PROVIDED TO BE LESS THAN 50--FT AND CONFORM TO LVMC 19.02.250
3. USE R--TYPE CURB & GUTTER PER USDCCA STD DWG #217.3,S1.
4. PROVIDE MINIMUM 47--FT PRIVATE STREET R/W WIDTH FOR CUL--DE--SAC WHERE 51--FT IS TYPICALLY REQUIRED PER USDCCA #212.
5. EXISTING PAN DRIVEWAY ACCESS TO SUBDIVISION FROM BONANZA ROAD TO REMAIN IN LIEU OF CURB RETURN DRIVEWAY
6. PROVIDE SIDEWALK ON ONLY ONE--SIDE OF PRIVATE STREET WITHIN THE THROAT DEPTH AREA OF THE CUL--DE--SAC.
7. CONNECTIVITY RATIO IS 1.0 WHERE 1.3 IS TYPICALLY REQUIRED PER LVMC 19.12.040

FIRE FLOW CALCS: TWO FAMILY DWELLINGS

MODEL HOME / PLAN #:	PLAN #1	PLAN #2	PLAN #3	PLAN #1+	PLAN #2+	PLAN #3+
CONSTRUCTION TYPE (IBC):	V-B	V-B	V-B	V-B	V-B	V-B
LIVING SQUARE FOOTAGE:	1373	1558	1918	2931	3520	SF
MAXIMUM UNDER ROOF (SF):	1601	1843	2573	3444	5146	SF
BUILDING HEIGHT:	26	26	25	26	25	FT
# OF STORIES:	2	2	2	2	2	
BLDG OCCUPANCY (IBC):	R3	R3	R3	R3	R3	
NFPA 13-D (2016 EDITION):	YES	YES	YES	YES	YES	
FIRE FLOW AT 20 PSI:	N/A	N/A	N/A	1500	2000	GPM
(%) PCT REDUCTION:	N/A	N/A	N/A	50%	50%	(%)
REQ'D FIRE FLOW--20 PSI:	N/A	N/A	N/A	1500	1500	GPM

NOTE: UNITS WITHIN EACH BUILDING ARE SEPARATED BY 2--HR SEPARATION WALLS.

811 Call before you Dig. 1-800-227-2600 AVOID CUTTING UNDERGROUND UTILITY LINES. IT'S COSTLY.

AVOID HITTING OVERHEAD POWER LINES. IT'S COSTLY. Call before you Crane Overhead 702-227-2929



GRAPHIC SCALE

40 0 20 40

1 inch = 40 ft

CONNECTIVITY RATIO: (LINKS / NODES)

MONTAGE ESTATES: 2 LINKS / 2 NODES = 1.0 (ADMINISTRATIVE DEVIATION REQUIRED)

THE MINIMUM REQUIRED CONNECTIVITY RATIO IS 1.30 (LINKS/NODES) FOR ALL DEVELOPMENTS IN R-D, R-1, R-CL, R-PD, R-CL, R-TH, R-2, R-3 AND R-4 ZONING DISTRICTS. THE MINIMUM CONNECTIVITY RATIO MAY BE WAIVED BY THE DIRECTOR, WITH THE AGREEMENT OF THE DIRECTOR OF PUBLIC WORKS, THROUGH THE SUBMITTAL OF AN APPLICATION FOR AN ADMINISTRATIVE DEVIATION, WHICH SHALL BE SUBJECT TO THE PROCEDURES AND STANDARDS SET FORTH IN LVMC 19.16.100, IF THE APPLICANT DEMONSTRATES IT IS IMPOSSIBLE OR IMPRACTICABLE TO ACHIEVE DUE TO TOPOGRAPHY, CONFORMING NATURAL FEATURES, OR ADJACENT EXISTING DEVELOPMENT PATTERNS, OR OTHER SITE LIMITATIONS.

PROPERTY OWNER STATEMENT / CC&R STATEMENT

THE SITE WILL BE SUBJECT TO ENFORCEMENT OF COVENANTS, CONDITIONS, AND RESTRICTIONS AND THE GOVERNING DOCUMENTS WILL DICTATE HOW THE ASSOCIATION OPERATES AND GOVERNING RULES OF OWNERS, TENANTS, AND GUESTS.

GEOTECHNICAL ENGINEER STATEMENT

THE SITE IS LOCATED WITHIN THE LAS VEGAS VALLEY. THE NEAREST FAULT SHOWN ON THE CLARK COUNTY SOIL GUIDELINES MAP (MAY 20, 1998) IS LOCATED APPROXIMATELY 1 1/2 MILE SOUTHWEST OF THE SITE. FISSURES ARE SURFACE EXPRESSIONS OF DIFFERENTIAL STRESS RESULTING FROM LOCAL AND REGIONAL SUBSIDENCE. NO FISSURES WERE OBSERVED ON THE PROJECT SITE. BASED ON THE CLARK COUNTY SHEAR WAVE VELOCITY MAP, A SITE CLASS OF "D" IS APPROPRIATE USE FOR DESIGN. FREE GROUNDWATER WAS NOT ENCOUNTERED IN THE BORINGS AT THE TIME OF DRILLING TO A DEPTH OF 15 FEET, THE MAXIMUM DEPTH EXPLORED.

ELEVATION NOTE:

ADD 2100--FT TO ALL GRADE ELEVATION TAGS SHOWN ON PLANS.

STATIC WATER PRESSURE

THE SITE LIES WITHIN THE **2300** PRESSURE ZONE RESULTING IN AN OVERALL STATIC PRESSURE OF **46±** PSI

PRIVATE WELLS TO BE REMOVED FROM SERVICE:

IF THE EXISTING PRIVATE WELL IS TO BE ABANDONED, THE INSTALLATION OF A BACKFLOW PREVENTION ASSEMBLY WILL NOT BE REQUIRED; HOWEVER, THE AGENCY WATER SERVICE WILL REMAIN IN THE OFF POSITION UNTIL THE WELL HAS BEEN ABANDONED (WHICH MUST BE ACCOMPLISHED WITHIN 30 DAYS OF THE INSTALLATION OF THE AGENCY SERVICE) OR PHYSICALLY DISCONNECTED FROM THE ONSITE SYSTEM. AN INSPECTION OF THE ON--SITE SYSTEM WILL BE MADE BY THE AGENCY'S INSPECTION DIVISION TO VERIFY THAT THE WELL HAS BEEN DISCONNECTED FROM THE ON--SITE SYSTEM AND THAT THE WELL IS NO LONGER FUNCTIONAL. THE STATE OF NEVADA DIVISION OF WATER RESOURCES (PH: 702--486--2770) MAY BE CONTACTED FOR INFORMATION CONCERNING THE REQUIREMENTS AND PROCEDURES FOR ABANDONING WELLS.

EARTHWORK DISCLAIMER

THE QUANTITIES SHOWN HEREON ARE FOR PERMIT FEE DETERMINATION ONLY. CONTRACTOR'S BID PRICE SHALL BE BASED UPON A SEPARATE ANALYSIS:

CUT (CY):	1,498 CY
FILL (CY):	1,835 CY
NET (FILL):	337 CY

SURVEY DISCLOSURE

THIS IS NOT A PROPERTY SURVEY. THIS PLAN IS INTENDED TO BE USED FOR LAYOUT AND GRADING PURPOSES ONLY. LOT LINE DIMENSIONS MAY DIFFER FROM THOSE SHOWN HEREON TO THAT OF THE OFFICIAL MAP.

JOHN R. HAMILTON ENTERPRISES, INC.

UTILITY NOTE:

JOHN R. HAMILTON ENTERPRISES, INC. ASSUMES NO RESPONSIBILITY FOR EXISTING UTILITY LOCATIONS. THE UTILITIES SHOWN ON THIS DRAWING HAVE BEEN PLOTTED FROM THE BEST AVAILABLE INFORMATION. IT IS, HOWEVER, THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION. THE CONTRACTOR IS TO FIELD VERIFY ALL EXISTING SITE CONDITIONS PRIOR TO CONSTRUCTION. IF A CONFLICT EXISTS BETWEEN WHAT IS SHOWN ON THIS DRAWING AND WHAT EXISTS IN THE FIELD, THE CONTRACTOR IS TO NOTIFY THE ENGINEER IMMEDIATELY.

CAUTION TO CONTRACTOR

THE CONTRACTOR SHALL BE RESPONSIBLE TO INVESTIGATE AND VERIFY THE ACTUAL LOCATION AND DEPTH OF ALL EXISTING UNDERGROUND FACILITIES AT LEAST 48 HOURS IN ADVANCE OF THE PERFORMANCE OF ANY WORK.

GENERAL INFORMATION

PARCEL: 139-30-306-003

GROSS ACREAGE: 2.14 ACRES

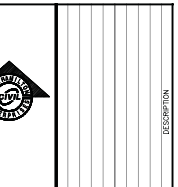
NUMBER OF LOTS: 3 LOTS

NUMBER OF UNITS: 18 UNITS

DENSITY: LOT 1: 14.53 (10 UNITS/0.688 ACRES)
LOT 2: 14.23 (8 UNITS/0.562 ACRES)
LOT 3: PRIVATE STREET (0.889 ACRES)
OVERALL: 8.41 (18 UNITS/2.14 ACRES)

ZONING CLASSIFICATION: MEDIUM LOW DENSITY RESIDENTIAL (R-2)
MINIMUM LOT SIZE: 6500 SF
MAXIMUM DWELLING UNITS PER LOT: 6-12

ZONING ACTIONS: GPA-70682 (GENERAL PLAN AMENDMENT)
ZON-70683 (REZONING RELATED TO GPA-70682)



VICINITY MAP (NTS)

NE2 SW4 SEC. 30, T20S, R61E, M.D.M.

BENCHMARK

CITY OF LAS VEGAS BENCHMARK 2LV01 305W6
RIVET & PLATE IN TOP OF N. SIDE CURB BONANZA RD. 1/4 MILE E. OF DECATUR BLVD.
ELEVATION=666.949 METERS (NAVD'88)
ELEVATION=2188.15 US SURVEY FEET (NAVD'88)

BASIS OF BEARING

SOUTH 89°25'35" WEST, BEING THE BEARING OF THE SOUTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 30, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA AS SHOWN BY MAP THEREOF ON FILE IN THE OFFICE OF THE CLARK COUNTY RECORDER IN FILE 118, PAGE 61 OF PARCEL MAPS.

FLOOD ZONE

FIRM PANEL # 32003C1216SD, ZONE "X", MAP DATED NOVEMBER 16, 2011, WHICH IS DEFINED AS AN AREA OUTSIDE THE 0.2% ANNUAL CHANCE (500--YEAR) FLOOD PLAIN.

LEGAL DESCRIPTION

LOT 2 FILE 118, PAGE 61 OF PARCEL MAPS ON FILE IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA, M.D.M.
APN 139--30--306--003 (2.14 ACRES)

GEOTECHNICAL ENGINEER: SOILS REPORT

SOILS REPORT DATED JUNE 18, 2018 BY AMERICAN SOILS ENGINEERING, LLC.
6000 SOUTH EASTERN AVENUE, SUITE 6B, LAS VEGAS, NEVADA 89119
PHONE: 702--889--9617 FAX: 702--889--9618

1. ALL GRADING AND PAVING TO BE COMPLETED IN STRICT ACCORDANCE WITH THE SOILS REPORT FOR THIS PROJECT. REFER TO SOILS REPORT FOR ALTERNATIVES.
2. PAD ELEVATION IS BASED ON 4--INCH CONCRETE FLOOR SLABS SUPPORTED ON MINIMUM 4--INCHES TYPE II MATERIAL COMPACTED TO AT LEAST 95% OF MAXIMUM DRY DENSITY PER ASTM D--1557 OVERLAIN BY A MINIMUM 10 MIL THICK VAPOR BARRIER WITH PLACEMENT IN ACCORDANCE WITH ACI 302 1R--04,PLAIN WITH 2 INCHES OF SAND.
3. THE SOILS ARE ASSUMED TO HAVE AN R--VALUE OF 40 OR MORE AND SHOULD BE VERIFIED BASED ON SAMPLES COLLECTED FROM SUBGRADE AND SPECIFIC LABORATORY TESTING PERFORMED SUBSEQUENT TO ROUGH GRADING OF THE SITE. PAVEMENT DESIGN TO BE IN STRICT ACCORDANCE WITH THE RECOMMENDATIONS OF THE SOILS REPORT.
   3.1. RESIDENTIAL: 2.5--INCHES ASPHALT, 4.5--INCHES TYPE II BASE
   3.2. MINOR COLLECTOR: 3.0--INCHES ASPHALT, 5.0--INCHES TYPE II BASE
   3.3. MAJOR COLLECTOR: 4.5--INCHES ASPHALT, 9.5--INCHES TYPE II BASE
   3.4. ARTERIAL: 5.5--INCHES ASPHALT, 13.0--INCHES TYPE II BASE

LEGEND

EP	EDGE OF PAVEMENT	AC	ASPHALTIC CONCRETE
CL	CENTERLINE	APN	ASSESSOR PARCEL NUMBER
PL	PROPERTY LINE	BC	BRASS CAP
R/W	PUBLIC ROAD RIGHT OF WAY	BCR	BACK OF CURB RETURN
	EXISTING CURB & GUTTER, SIDEWALK	BFE	BASE FLOOD ELEVATION
BSL	BUILDING SETBACK LINE	BOB	BASIS OF BEARING
X X X	EX. CHAIN LINK FENCE	BSL	BUILDING SETBACK
EX. WALL	PROPOSED WALL	BSW	BACK OF SIDEWALK
	ASPHALT SAWCUT LINE	BWV	BACK WATER VALVE
ELEV DESC	EXISTING GRADE	CATV	CABLE / TELEVISION
ELEV DESC	PROPOSED GRADE	CB	CABLE BOX
NEW ASPHALT	TRENCH AND BACKFILL (UNPAVED AREAS)	CL	CENTERLINE
1800	EX. CONTOUR	CONC	CONCRETE
1800	FINISH CONTOUR	DCSWCS	DESIGN AND CONSTRUCTION STANDARDS FOR WASTERWATER COLLECTION SYSTEMS
		DESC	DESCRIPTION
		DW	DRIVEWAY
		EB	ELECTRIC BOX
		EG	EDGE OF GRAVEL
		ELEC	ELECTRIC
		ELEV	ELEVATION
		EM	ELECTRIC METER
		EP	EDGE OF PAVEMENT
		ER	EDGE OF ROAD
		EX	EXISTING
		FF	FINISHED FLOOR
		FG	FINISHED GRADE
		FL	FLOW LINE
		FNCE	FENCE
		FO	FIBER OPTIC
		FS	FINISHED SURFACE
		GB	GRADE BREAK
		GRTE	GRATE
		GW	GUY WIRE
		HC	HANDICAP RAMP
		HP	HIGH POINT
		HYD /FH	FIRE HYDRANT
		ICV	IRRIGATION CONTROL VALVE
		INV	INVERT
		LF	LINEAR FEET
		LP	LOW POINT
		MAX	MAXIMUM
		MIN	MINIMUM
		NG/GS	NATURAL GRND / GRND SHOT
		POC	POINT OF CONNECTION
		NPC	NEVADA POWER CO. METER
			UNIT NUMBER/ MODEL HOME PLAN NUMBER

PP	POWER POLE
PROTNK	PROPANE TANK
PRV	PRESSURE REDUCING VALVE
PVC	POLYVINYL CHLORIDE
RA	REBAR AND ALUMINUM CAP
RET	RETAINING
RPC	REBAR AND PLASTIC CAP
SL	STREET LIGHT
SNWA	SO. NEVADA WATER AUTHORITY
SP	SERVICE POLE
SSCO	SANITARY SEWER CLEANOUT
SSMH	SANITARY SEWER MANHOLE
STA	STATION
SWEZ	SIGHT VISIBILITY RESTRICTION ZONE
SWR	SEWER
TB	TELE--BOX
TBC/TC	TOP BACK OF CURB
TBSW	TOP BACK OF SIDE WALK
TELE	TELEPHONE
TF	TRANSFORMER
TMH	TOP OF MANHOLE
TOE	TOE OF SLOPE
TOP	TOP OF SLOPE
TR	TELE--RISER
TRW	TOP OF RETAINING WALL
TSGN	TRAFFIC SIGN
TW	TOP OF WALL
TV	TELE--VAULT
UDACS	UNIFORM DESIGN AND CONSTRUCTION STANDARDS FOR POTABLE WATER SYSTEMS
UGE	UNDERGROUND ELECTRIC
CCAUSD	CLARK COUNTY AREA UNIFORM STANDARD DRAWINGS
VG	VALLEY GUTTER
VPC	VERTICAL POINT OF CURVATURE
VPT	VERTICAL POINT OF TANGENCY
WC	WELL CASING
WT	WATER TANK
WTR	WATER
WM	WATER METER
WV	WATER VALVE

OWNER / DEVELOPER INFORMATION:

SK USA, LLC.
7345 SOUTH DURANGO DRIVE #B107-140
LAS VEGAS, NEVADA 89113
CONTACT: CSABA MERZBURGER (702) 257-4070

REV	DATE	BY	DESCRIPTION

SK USA, LLC.
7345 SOUTH DURANGO DRIVE #B107-140 • LAS VEGAS • NEVADA • 89113
PH: (702) 237-4070 CONTACT: CSABA MERZBURGER

JOHN R. HAMILTON ENTERPRISES, INC.
9845 PITTSBURGH AVENUE, SUITE 210 • LAS VEGAS, NEVADA 89134
PH: (702) 580-8688 • WWW.JRHAMILTONENTERPRISES.COM

SHEET: TENTATIVE MAP

PROJECT: MONTAGE ESTATES
RESIDENTIAL SUBDIVISION
CITY OF LAS VEGAS, NEVADA 89107
APN 139-30-306-003

PRINTED: 05-05-2019
SUBMITTAL

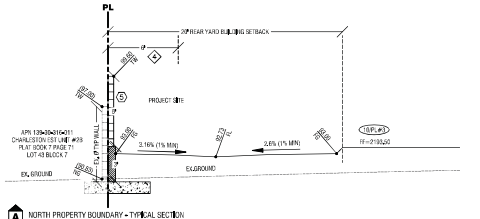
PROJECT NO. 17-400--001

HORZ: 1"=40'
VERT: N/A

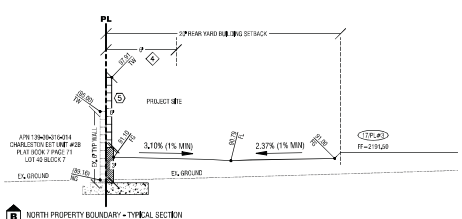
FIRE DEPARTMENT	N/A
TRAFFIC ATTY	N/A
DRAINAGE ATTY	N/A
SOILS REPORT	N/A
LVVWD	N/A
CLV HANSEN	N/A
CLV DWG #	

PAGE: T1
1 OF 2 SHEETS

PRJ-75700
05/07/19



A 11 NORTH PROPERTY BOUNDARY - TYPICAL SECTION
NOT TO SCALE



B 11 NORTH PROPERTY BOUNDARY - TYPICAL SECTION
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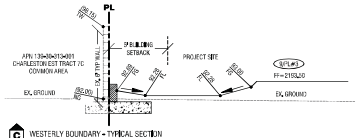

C 11 WESTERLY BOUNDARY - TYPICAL SECTION
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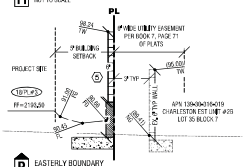
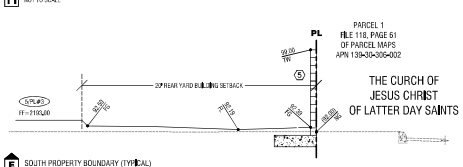
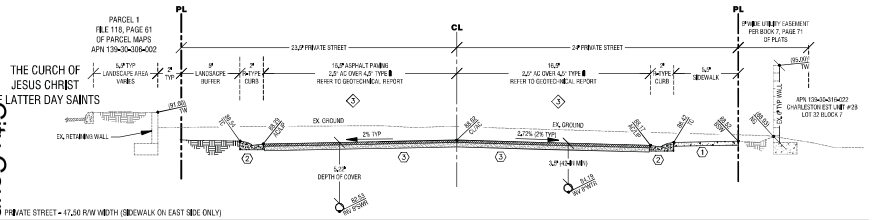


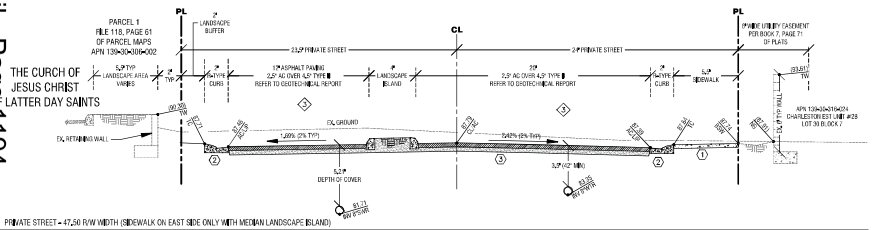
D 11 EASTERLY BOUNDARY
NOT TO SCALE



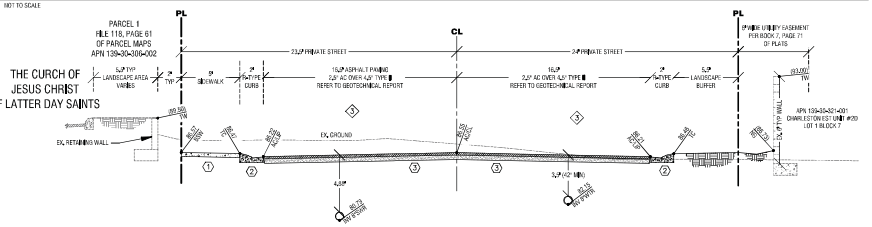
E 11 SOUTH PROPERTY BOUNDARY (TYPICAL)
NOT TO SCALE



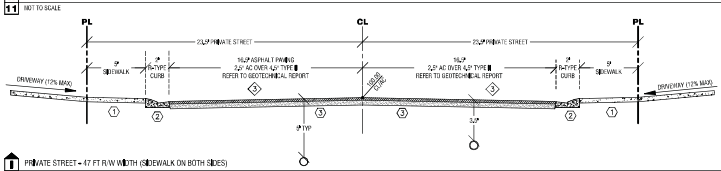
F 11 PRIVATE STREET - 47.50 R/W WIDTH (SIDEWALK ON EAST SIDE ONLY)
NOT TO SCALE



G 11 PRIVATE STREET - 47.50 R/W WIDTH (SIDEWALK ON EAST SIDE ONLY WITH MEDIAN LANDSCAPE ISLAND)
NOT TO SCALE



H 11 PRIVATE STREET - 47.50 R/W WIDTH (SIDEWALK ON WEST SIDE ONLY)
NOT TO SCALE



I 11 PRIVATE STREET - 47 FT R/W WIDTH (SIDEWALK ON BOTH SIDES)
NOT TO SCALE

EASEMENT / DEDICATION NOTES: ◇ SYMBOL

1. 6-FT X 6-FT WATER EASEMENT TO BE GRANTED TO THE LAS VEGAS VALLEY WATER DISTRICT BY SEPARATE DOCUMENT.
2. NOT USED
3. PRIVATE STREET EASEMENT, UTILITY EASEMENT, DRAINAGE EASEMENT, AND CITY OF LAS VEGAS PUBLIC SEWER EASEMENT PER FINAL MAP TO BE PRIVATELY MAINTAINED.
4. 6-FT WIDE POWER EASEMENT ALONG NORTH BOUNDARY TO BE GRANTED TO NEVADA ENERGY PER FINAL MAP TO BE PRIVATELY MAINTAINED

CONSTRUCTION NOTES: ⓧ SYMBOL

1. PROVIDE MINIMUM 5-FT WIDE SIDEWALK PER USDCCA STD DWG #234
2. CONSTRUCT R-TYPE CURB AND GUTTER PER USDCCA STD DWG #217.3.S1
3. CONSTRUCT CUL-DE-SAC AND PRIVATE STREET PER USDCCA STD DWG #212. REFER TO DEVIATION FROM STANDARDS ON SHEET C2.
   3.1. CUL-DE-SAC AND PRIVATE STREET: 2.5 INCHES AC OVER 4.5 TYPE II
4. PROVIDE ACCESS CONTROL GATES TO COMPLY WITH TITLE 19.04.230
5. CONSTRUCT 6-FT CMU SCREEN WALL IN AREAS WHERE RETAINING WALLS ARE REQUIRED, MAXIMUM RETAINING HEIGHT VARIES UP TO 3-FT AND THE TOTAL WALL HEIGHT SHALL NOT EXCEED 9-FT.
   5.1. A SIX (6) FOOT HIGH REDUNDANT WALL SHALL BE CONSTRUCTED AS A BUFFER WHEN REQUIRED. THE SEPARATION BETWEEN THE WALLS SHALL BE FOUR (4) INCHES OR LESS. THE AREA BETWEEN THE WALLS SHALL BE KEPT FREE OF DEBRIS AND WEEDS.

Call before you Dig.
1-800-227-2600
AVOID CUTTING UNDERGROUND UTILITY LINES. IT'S COSTLY.



Call before you
Crane Overhead
702-227-2929

ELEVATION NOTE:
ADD 2100-FT TO ALL GRADE ELEVATION TAGS SHOWN ON PLANS.

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UTILITY NOTE:
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PRJ-75700
05/07/19

REV	DATE	BY	DESCRIPTION

SK USA, LLC.
7348 SOUTH DURANGO DRIVE #B107-140 • LAS VEGAS • NEVADA • 89113
PH: (702) 237-4070 CONTACT: CSABA MEISZBURGER

JOHN R. HAMILTON ENTERPRISES, INC.
9545 PITTSBURGH AVENUE LAS VEGAS, NEVADA 89143
PH: (702) 580-8688 — WWW.JRHAMILTONENTERPRISES.COM

SHEET: TENTATIVE MAP DETAILS AND CROSS SECTIONS
PROJECT: MONTAGE ESTATES
RESIDENTIAL SUBDIVISION
CITY OF LAS VEGAS, NEVADA 89107
APN 139-30-306-003

PRINTED: 05-05-2019
SUBMITTAL

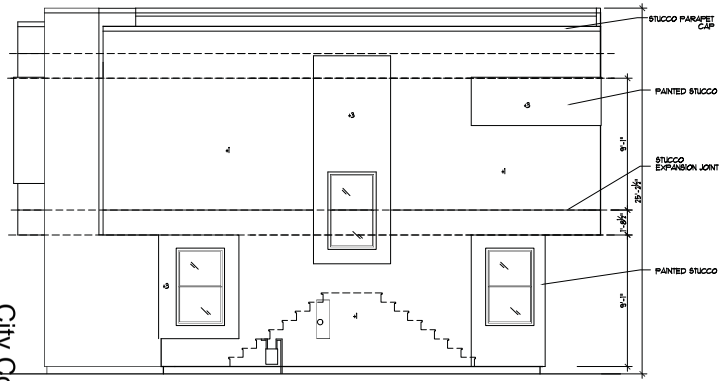
PROJECT NO. 17-400-001
HORZ: N/A
VERT: N/A

JOHN R. HAMILTON
No. 015170
Exp:06/30/2019
CIVIL

PRE DEPARTMENT	N/A
TRAFFIC ATTY	N/A
DRAINAGE ATTY	N/A
SOILS REPORT	N/A
LVVWD	N/A
CLV HANSEN	N/A
CLV DWG #	

PAGE: T2
2 OF 2 SHEETS

City Council - Page 1194



(4) RIGHT ELEVATION BUILDING TYPE #1
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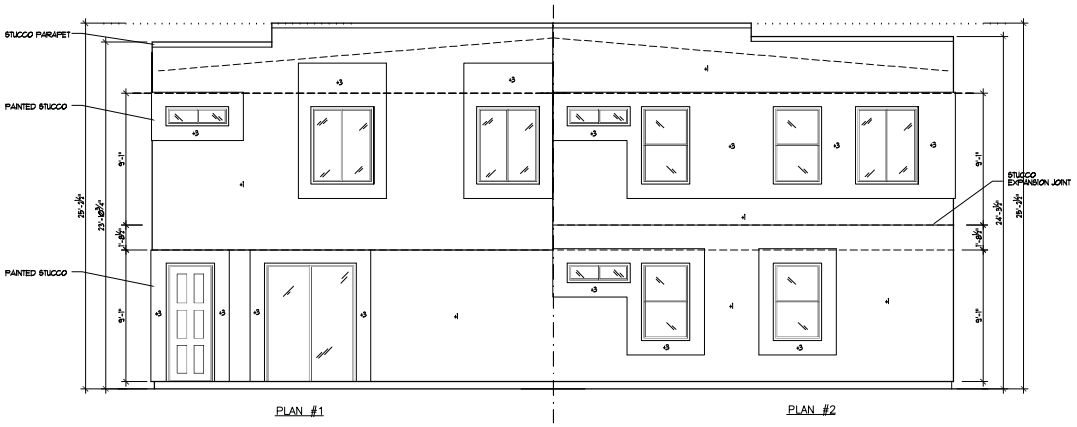

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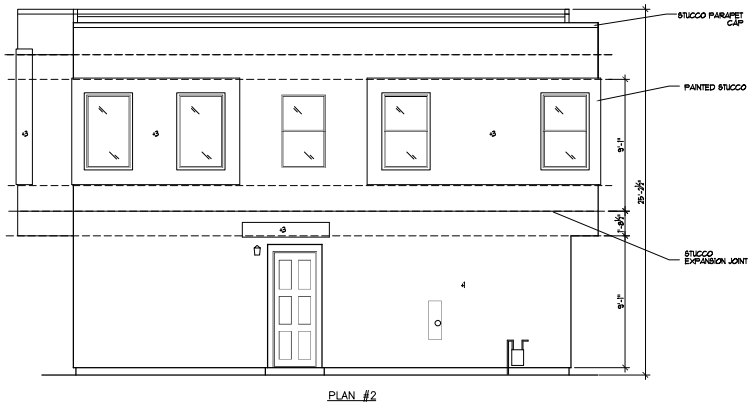

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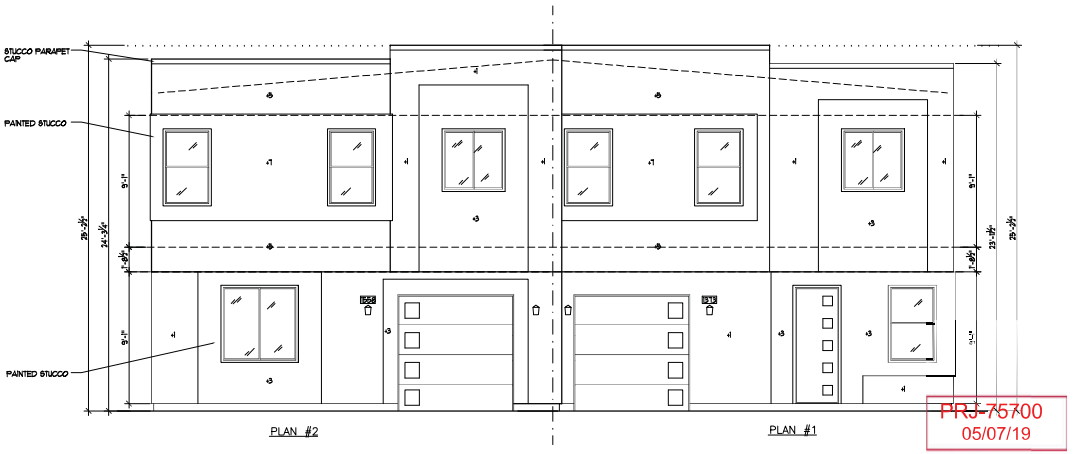

(1) FRONT ELEVATION BUILDING TYPE #1
SCALE: 1/4" = 1'-0"

PRJ-75700
05/07/19

LARRY TINDALL
RESIDENTIAL DESIGNER
3047 E. WARM SPRINGS SUITE 800 LAS VEGAS, NEVADA 89120 OFFICE (702) 897.8897 FAX (702) 896.8852

MONTAGE ESTATES
BUILDING TYPE #1
LARRY TINDALL
RESIDENTIAL DESIGNER
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REVISION	DATE	NOTES

JOB NO:
FILE NAME:
DATE: 3-8-19
UPDATE:

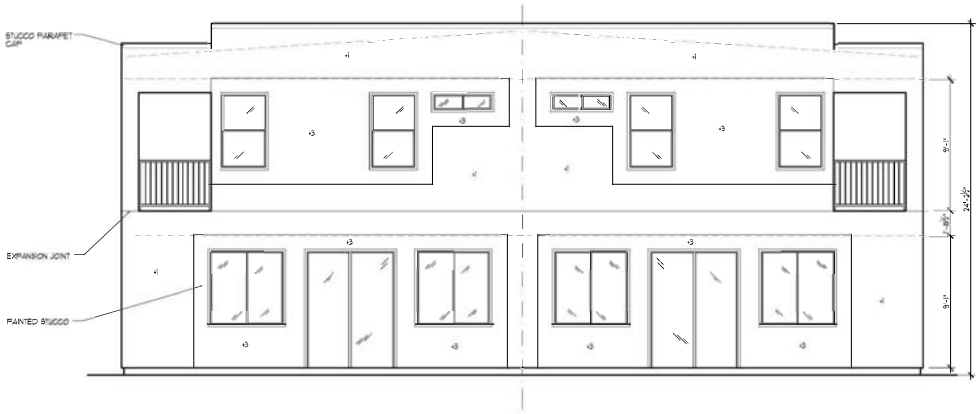
ELEVATIONS

AB040



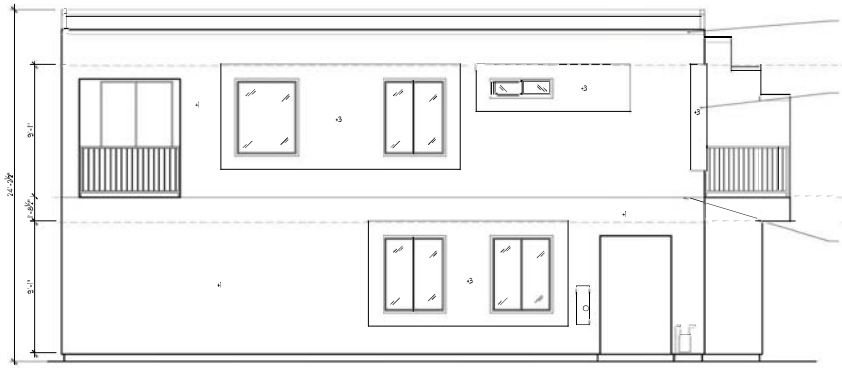
PLAN #3

(4) RIGHT ELEVATION BUILDING TYPE #2
SCALE: 1/4" = 1'-0"



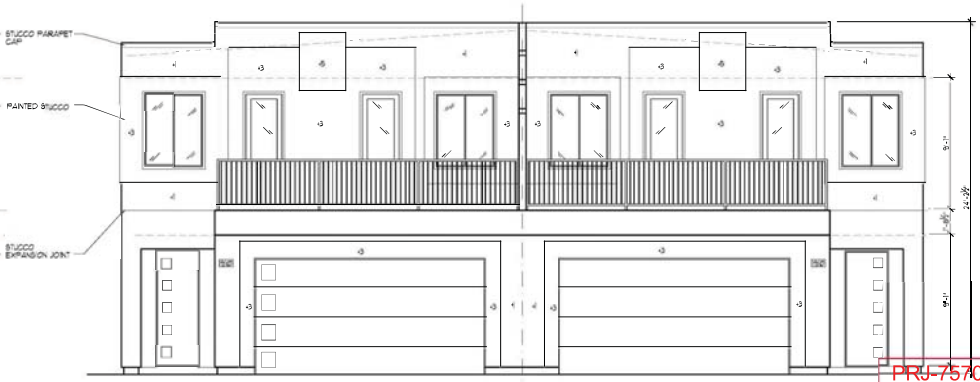
PLAN #3 PLAN #3

(3) REAR ELEVATION BUILDING TYPE #2
SCALE: 1/4" = 1'-0"



PLAN #3

(2) LEFT ELEVATION BUILDING TYPE #2
SCALE: 1/4" = 1'-0"



PLAN #3 PLAN #3

(1) FRONT ELEVATION BUILDING TYPE #2
SCALE: 1/4" = 1'-0"

PRJ-75700
05/07/19

LARRY TINDALL
RESIDENTIAL DESIGNER
3047 E. WARM SPRINGS SUITE 200 LAS VEGAS, NEVADA 89120 OFFICE: (702) 897.5997 FAX (702) 896.8352

MONTAGE ESTATES
BUILDING TYPE #2
LARRY TINDALL
RESIDENTIAL DESIGNER
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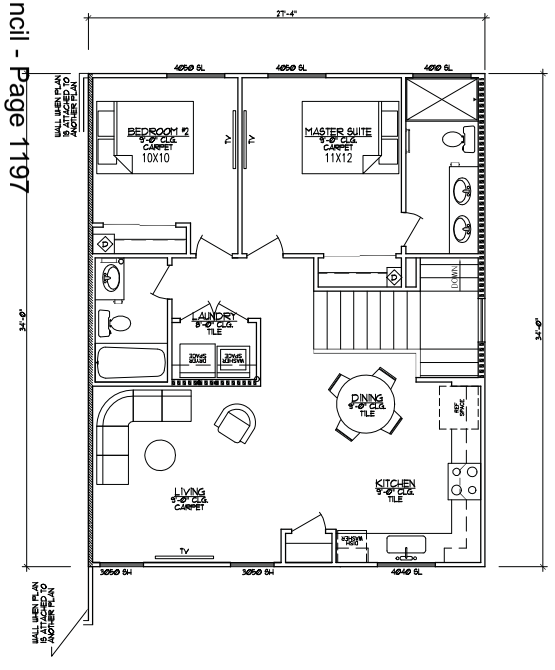
REVISION	DATE	NOTES

ELEVATIONS

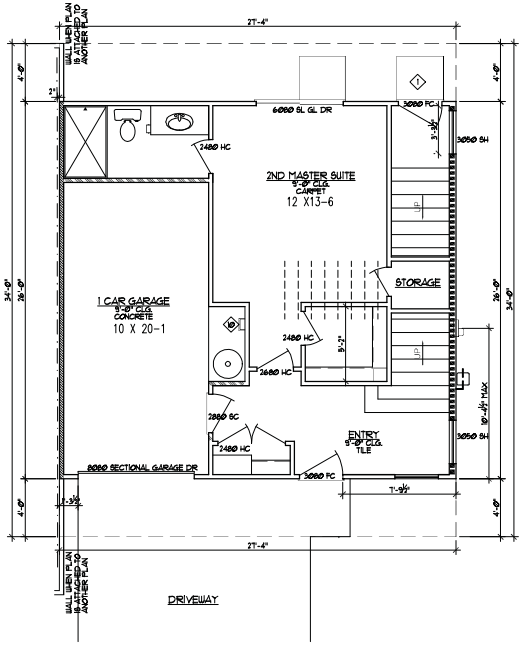
JOB NO.:
FILE NAME:
DATE: 3-8-19
UPDATE:

AB041



(2) SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"



(1) FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

SYMBOLS:

- TYP. RECESSED MOUNTED MEDICINE CABINET. SEE OWNER FOR TYPE & MODEL
- TOWEL BAR, SEE OWNER FOR SIZE & SPECIFICATIONS.
- TOWEL RING, SEE OWNER FOR SPECIFICATIONS.
- TOILET TISSUE HOLDER, SEE OWNER FOR SPECIFICATIONS.
- SOFT WATER LOOP, SEE PLUMBING DRAWINGS.
- LAVATORY, SEE OWNER AND PLUMBING DRAWINGS FOR SPECIFICATIONS.
- DASHED LINES INDICATES OPT. PLUMBING FIXTURE. SEE OWNER AND PLUMB. DWGS. FOR SPECIFICATIONS.
- UTILITY SINK. SEE OWNER AND PLUMB. DWGS. FOR SPECIFICATIONS.
- ROUND WATER CLOSET, SEE OWNER AND PLUMB. DWGS. FOR TYPE & MODEL. ALLOW A 36" WIDE X 24" DEEP SPACE IN FRONT OF W.C.
- ELONGATED WATER CLOSET, (SEE OWNER AND PLUMB. DWGS. FOR TYPE & MODEL). ALLOW A 36" WIDE X 24" DEEP SPACE IN FRONT OF W.C.
- ELECTRICAL SERVICE PANEL. SEE 9/AD#00. SEE ELEC. LOAD CALCS. FOR SIZE.
- GAS METER, SEE UTILITY DRAWINGS FOR LOCATION.
- COMBUSTION AIR VENT, SEE MECH. DWGS.
- WH — WATER HEATER W/DRAIN PAN. WHEN IN GARAGE 18" HIGH BASE (W/) 3/4" OR (2) 1/2" PIECES OF SHEATHING MIN. WORK/WALL FINISH TOP 4 SIDES. SEE OWNER FOR SPECS. SEE 13/AD#00 OR 14/AD#00.
- CONDENSER ON CONC. PAD, SEE MECH. DWGS FOR SIZE & MODEL
- NON-VENTED RANGE W/ HOOD OR OPTIONAL OVERHEAD EXHAUST HOOD, SEE OWNER FOR TYPE AND MODEL.
- SINK WITH GARBAGE DISPOSAL. SEE OWNER AND PLUMB. DWGS. FOR TYPE AND MODEL.
- W — WASHER, SEE OWNER FOR TYPE AND MODEL.
- D — DRYER, SEE OWNER FOR TYPE AND MODEL.
- TUB/SHOWER ENCLOSURE W/NON-ABSORBENT SURFACE W/ROD OR OPT. TEMPERED SLIDING GLASS DOORS. SEE GEN. NOTES W/WINDOW BULLET #5. SEE PLUMB. DRAWINGS AND OWNER FOR SPECS. AND SIZE. SHOWER HEAD @ +6'-10"
- SHOWER ENCLOSURE W/NON-ABSORBENT SURFACE & TEMPERED GLASS DOOR. SEE GEN NOTES W/ WINDOW BULLET #5. SEE PLUMB. DWGS. AND OWNER FOR SPECS. AND SIZE. SHOWER HEAD @ +6'-10".

- INDICATES POT-SHELF ABOVE/TOP OF SHEATING @ 6'-5" REFER TO PLANS & INTERIOR ELEVATIONS
- INDICATES LOWERED CEILING/SOFFIT REFER TO PLANS AND INTERIOR ELEVATIONS.

WALL SCHEDULE

- = 2x6 WALL
- =FIRE SEPARATION WALL
- = 2 HR COMMON FIRE WALL

SHELVING OPTIONS:

- (A) (PANTRY) (4) 12" DEEP SHELVES EQUALLY SPACED.
- (B) (PANTRY) (4) 16" DEEP SHELVES EQUALLY SPACED.
- (C) (LINEN) (5) 12" DEEP SHELVES EQUALLY SPACED.
- (D) (LINEN) (5) 16" DEEP SHELVES EQUALLY SPACED.
- (E) (CLOSET) (1) 12" DEEP SHELF AND POLE @ +66".
- (F) (CLOSET) (2) 12" DEEP SHELF AND POLE @ +40" & +66".
- (G) (LAUNDRY) (1) 12" DEEP SHELF.

NOTE:
ALL SHELVES ARE WOOD OR WOOD W/LAMINATE FINISH, VERIFY W/OWNER, POLES ARE WOOD W/METAL ROSETTES

DOOR & WINDOW SCHEDULE

DOOR LEGEND:

- HC = HOLLOW CORE WOOD DOOR
- SC = SOLID CORE WOOD DOOR
- FW = FRENCH W/TEMPERED GLAZING
- FA = FRENCH ATRIUM W/TEMPERED GLAZING
- BP = BYPASS DOORS
- SG = TEMPERED SLIDING GLASS
- FC = FIBER CLASS/C

WINDOW LEGEND:

- FX = FIXED WINDOW
- SL = SLIDER
- SH = SINGLE HUNG
- HR = HALF ROUND
- AR = ARCHED
- TEMP. = TEMPERED GLAZING REQ'D IN HAZARDOUS LOC. INSTALL PER LRC. CODE.

NOTE:
OWNER MAY SUBSTITUTE ANY DOOR MATERIAL ON ANY DOOR EXCEPT RATED DOORS AND DOORS REQUIRED BY CODE.

SQUARE FOOTAGE:

FIRST FLOOR:	482	SQUARE FEET
SECOND FLOOR:	891	SQUARE FEET
TOTAL LIVING:	1373	SQUARE FEET
GARAGE:	228	SQUARE FEET

KEYNOTES:

1. MIN. 36" WIDE X MIN. 36" DEEP X 4" THICK CONCRETE LANDING. STOOP WIDTH SHALL NOT BE LESS THAN THE DOOR SERVED.
2. THIS WALL RATED 1-HOUR LESS THAN 5'-0" OF THE PROPERTY LINE THAT IS BETWEEN BUILDINGS. USE 1-HOUR FIRE RATED WALL ASSEMBLY SEE 1/AD#00.
3. CARPET STRIP.
4. CEILING LINE
5. TILE, SEE SPEC. SHEET.
6. DRYER EXHAUST VENT, SEE MECHANICAL DRAWINGS FOR VENT LENGTH.
7. RECESSED WATER VALVE BOX, VERIFY WITH PLUMBING DWGS.
8. PRE PLUMB FOR OPTIONAL SINK, VERIFY WITH PLUMBING DWGS.
9. NOT USED.
10. SOFT WATER LOOP
11. BASE CABINETS, SEE OWNER FOR TYPE AND MODEL.
12. WALL MOUNTED UPPER CABINETS, SEE OWNER FOR TYPE AND MODEL.
13. NOT USED
14. UNDER COUNTER DISHWASHER.
15. REFRIGERATOR/FREEZER LOCATION.
16. RECESSED ICE MAKER BOX WITH VALVE.
17. CENTER WINDOW OR DOOR ON EXTERIOR WALL.
18. NOT USED
19. NOT USED
20. NOT USED
21. 5/8" GYP. BD. DRAFTSTOP SHOWN DASHED
22. TEMPERED GLASS
23. FIBERGLASS SHOWER PAN
24. 2'-6" STONE W/6" WIDE FOAM TRIM RETURN. SEE EXTERIOR ELEVATION.
25. STONE VENEER, SEE EXTERIOR ELEVATION.
26. WATER HEATER PLATFORM TO BE A MINIMUM OF 18" A.F.F. 3/4" PLYWOOD AT WATER HEATER PLATFORM. MIN 6" BITUMEN ABOVE PLATFORM SURROUNDS
27. 24" DEEP CABINET ABOVE

GENERAL NOTES:

1. THE GARAGE SIDE WALLS & CEILING SHALL BE 5/8" TYPE 'X' GYPSUM BOARD, ALL OTHER CEILINGS SHALL BE 5/8" GYP.BD. OWNER CAN USE 1/2" MIN. GYP. BD. ON WALLS THAT ARE NOT RATED WALLS OR RESPD. BY CODE.

2. THE DOOR BETWEEN THE GARAGE AND THE DWELLING UNITS SHALL BE EITHER SOLID WOOD OR METAL CLAD HONEYCOMB DOORS NOT LESS THAN 1 3/8" THICK OR A 20 MIN. DOOR. DOORS SHALL BE SELF-CLOSING & SELF-LATCHING W/A TIMELY FRAME.

3. REFER TO BUILDER FOR QUANTITY AND LOCATION OF BULLNOSE DRYWALL CORNERS.

4. ALL BASE SHALL BE REVERSIBLE GRADE.

5. WHEN CERAMIC TILE, CULTURED MARBLE OR LIKE FINISHES ARE INSTALLED A BACKER BOARD OF CEMENT, FIBER CEMENT, OR GLASS MAT GYPSUM BACKERS IN COMPLIANCE WITH ASTM C1288, C1325 OR C1178 ARE TO BE USED IN THE TUBS TO A HEIGHT OF THE TILE WALL/SHOWER OR A HEIGHT NOT LESS THAN 6" ABOVE THE FLOOR TO CEILING AND ON THE CEILING TO THE EDGE OF THE TILE OR EDGE OF TUB/SHOWER, WHICHEVER IS GREATEST.

6. PENETRATIONS WILL NOT BE ALLOWED THROUGH FIRE RESTRICTIVE WALLS, FLOOR/CEILING AND ROOF/CEILING ASSEMBLIES WITHOUT APPROVED DETAILS.

7. ALL APPLIANCES AND PLUMBING FIXTURES SHALL BE SELECTED BY OWNER.

8. SEE OWNER FOR ALL CABINETRY SPECIFICATIONS.

9. AT TUBS, SHOWERS, & TUB/SHOWER COMBOS THAT ABUT RATED WALLS, 5/8" TYPE 'X' GYPSUM BOARD MUST BE INSTALLED BETWEEN THE TUB, OR SHOWER, OR TUB/SHOWER COMBO AND THE RATED WALL.

10. KITCHEN COUNTER TOP @ 36", TYP. U.N.O. SEE OWNER FOR TYPE & STYLE.

11. MIRROR ABOVE ALL LAV'S. TYP. U.N.O. SEE OWNER FOR SPECS.

ATTIC ACCESS, CATWALK & WORKING PLATFORM:
- PROVIDE A 24" WIDE X 30" HIGH SOLID CATWALK.
- A WORKING PLATFORM AT CONTROL SIDE OF FAU 30" IN DEPTH, WIDTH & HEIGHT SHALL BE PROVIDED.
- WHERE THE HEIGHT OF THE PASSAGEWAY IS LESS THAN 6 FT. THE DISTANCE FROM THE ACCESS TO THE FAU SHALL NOT EXCEED 20 FT. MEASURED ALONG THE CENTERLINE OF THE PASSAGEWAY.

DOORS:
- FRONT ENTRY DOOR SHALL HAVE WEATHER-STRIPPING & THRESHOLD, A PEEP HOLE @ +60" AND BE PROVIDED W/A LOCKSET AND DEADBOLT.
- PROVIDE PRIVACY LOCKS AT MASTER BEDROOM & ALL BATHROOM DOORS U.N.O.
- ALL BY-PASS AND BI-FOLD DOORS SHALL BE WHITE ON WHITE U.N.O.
- ALL DOORS TO HAVE 3" JAMBS.

WINDOWS:
1. ALL WINDOWS TO BE THERMAL-PANE GLASS.
2. PROVIDE LOW 'E' WINDOW. VERIFY U/#CC CALCS BY MECHANICAL ENGINEER.
3. ESCAPE AND RESCUE WINDOWS SHALL HAVE A MIN. SILL HEIGHT OF 44" & MIN. NET CLEAR OPENABLE AREA OF 5.1 SQ. FT. THE MIN. NET CLEAR OPENABLE HEIGHT DIM. SHALL BE 24". THE MIN. NET CLEAR OPENABLE WIDTH DIM. SHALL BE 20". WHEN WINDOWS ARE PROVIDED AS A MEANS OF ESCAPE AND RESCUE THEY SHALL HAVE A FINISHED SILL.
* EXCEPTIONS:
A. MINIMUM NET CLEAR OPENING FOR A ESCAPE AND RESCUE GRADE FLOOR OPENING SHALL BE 5.7 SF.
* CONTRACTOR SHALL INSTALL TEMPERED GLAZING IN HAZARDOUS LOCATIONS:
4. GLAZING IN SWING DOORS, FIXED & SLIDING PANELS OF SLIDING DOORS & PANEL IN BI-FOLD & BI-PASS CLOSET DOORS & IN STORY DOORS & UNFRAMED SWINGING DOORS.
5. GLAZING IN DOORS & ENCLOSURES FOR HOT TUBS, WHIRLPOOLS, SAUNAS, STEAM ROOMS, BATH TUBS & SHOWERS. GLAZING WHERE BOTTOM EXPOSED EDGE IS LESS THAN 60" ABOVE A STANDING SURFACE.
6. GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL ADJACENT TO A DOOR WHERE THE NEAREST EXPOSED EDGE IS WITHIN A 24" ARC OF EITHER VERTICAL EDGE OF THE DOOR IN A CLOSED PORTION AND WHERE THE BOTTOM EDGE IS LESS THAN 60" ABOVE WALKING SURFACE.
* EXCEPTIONS:
A. PANELS WHERE THERE IS A WALL BARRIER BETWEEN THE DOOR & GLAZING.
B. WHERE DOOR IS TO A CLOSET 3'-0" DEEP OR LESS & HINGED DOOR IS PER R309.4 (SEE NOTE 7 BELOW).
C. GLAZING IN WALLS PERPENDICULAR TO THE PLANE OF THE DOOR IN CLOSED POSITION OTHER THAN THE WALL THE DOOR SWINGS TOWARD.
7. GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL OTHER THAN THOSE LOCATIONS DESCRIBED ABOVE THAT MEETS ALL OF THE FOLLOWING DESCRIPTION:
A. EXPOSED AREA OF AN INDIVIDUAL PANE GREATER THAN 9 SF.
B. EXPOSED BOTTOM EDGE IS LESS THAN 18" ABOVE THE FLOOR.
C. EXPOSED TOP EDGE IS GREATER THAN 36" ABOVE THE FLOOR.
D. ONE OR MORE WALKING SURFACES WITHIN 36" HORIZONTALLY OF THE PLANE OF THE GLAZING.

GENERAL NOTES:
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RESIDENTIAL DESIGNER
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MONTAGE ESTATES
PLAN #1
LARRY TINDALL
RESIDENTIAL DESIGNER

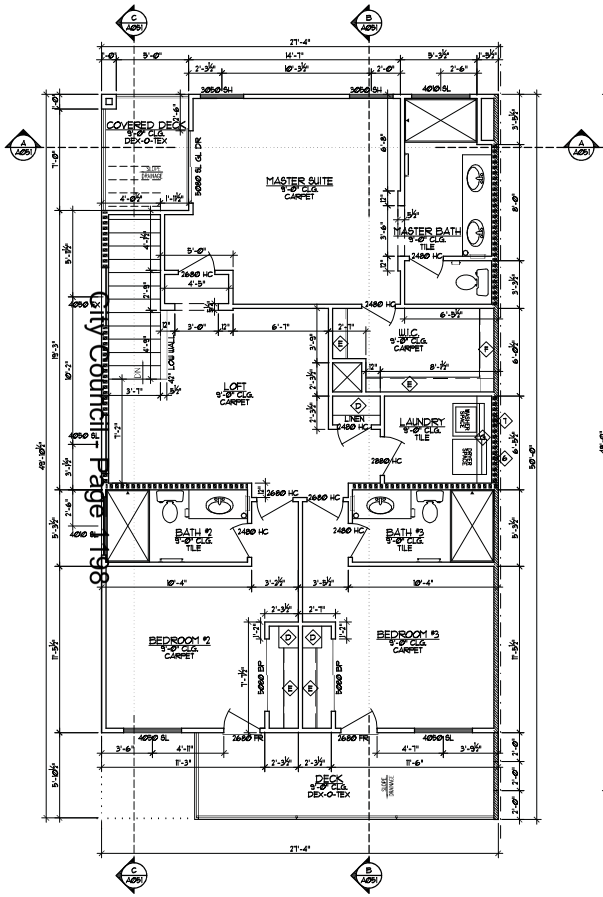
REVISION	DATE	NOTES

JOB NO:
FILE NAME:
DATE: 3-8-19
UPDATE:

FLOOR PLANS

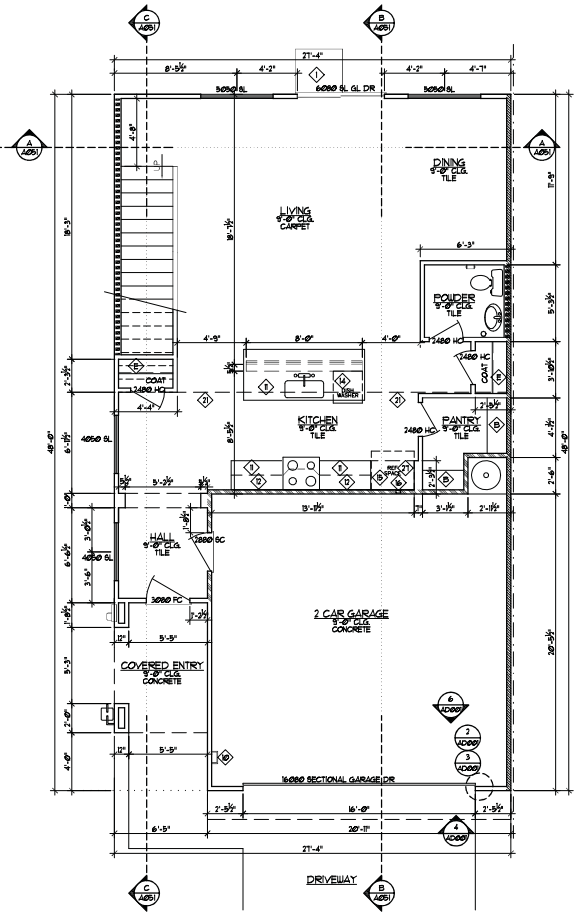
A010

PRJ-75700
3/8/19



(2) SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"



(1) FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

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SYMBOLS:

- TYP. RECESSED MOUNTED MEDICINE CABINET, SEE OWNER FOR TYPE & MODEL
- TOWEL BAR, SEE OWNER FOR SIZE & SPECIFICATIONS.
- TOWEL RING, SEE OWNER FOR SPECIFICATIONS.
- TOILET TISSUE HOLDER, SEE OWNER FOR SPECIFICATIONS.
- SOFT WATER LOOP, SEE PLUMBING DRAWINGS.
- LAVATORY, SEE OWNER AND PLUMBING DRAWINGS FOR SPECIFICATIONS.
- DASHED LINES INDICATES OPT. PLUMBING FIXTURE. SEE OWNER AND PLUMB. DWGS. FOR SPECIFICATIONS.
- UTILITY SINK, SEE OWNER AND PLUMB. DWGS. FOR SPECIFICATIONS.
- ROUND WATER CLOSET, SEE OWNER AND PLUMB. DWGS. FOR TYPE & MODEL. ALLOW A 36" WIDE X 24" DEEP SPACE IN FRONT OF W.C.
- ELONGATED WATER CLOSET, (SEE OWNER AND PLUMB. DWGS. FOR TYPE & MODEL). ALLOW A 36" WIDE X 24" DEEP SPACE IN FRONT OF W.C.
- ELECTRICAL SERVICE PANEL. SEE 9/AD#01. SEE ELEC. LOAD CALCS. FOR SIZE.
- GAS METER, SEE UTILITY DRAWINGS FOR LOCATION.
- COMBUSTION AIR VENT, SEE MECH. DWGS.
- WH — WATER HEATER W/DRAIN PAN WHEN IN GARAGE 18" HIGH BASE W/ 3/4" OR (2) 1/2" PIECES OF SHEATHING MIN. WORKABLE FINISH TOP 4 SIDES. SEE OWNER FOR SPECS. SEE 13/AD#01 OR 14/AD#01.
- CONDENSER ON CONC. PAD, SEE MECH. DWGS FOR SIZE & MODEL.
- NON-VENTED RANGE W/ HOOD OR OPTIONAL OVERHEAD EXHAUST HOOD, SEE OWNER FOR TYPE AND MODEL.
- SINK WITH GARBAGE DISPOSAL. SEE OWNER AND PLUMB. DWGS. FOR TYPE AND MODEL.
- W — WASHER, SEE OWNER FOR TYPE AND MODEL.
- D — DRYER, SEE OWNER FOR TYPE AND MODEL.
- TUB/SHOWER ENCLOSURE W/NON-ABSORBENT SURFACE W/ROD OR OPT. TEMPERED GLAZING GLASS DOORS. SEE GEN. NOTES W/WINDOW BULLET #5. SEE PLUMB. DRAWINGS AND OWNER FOR SPECS. AND SIZE. SHOWER HEAD @ 48"-78"
- SHOWER ENCLOSURE W/NON-ABSORBENT SURFACE & TEMPERED GLASS DOOR. SEE GEN NOTES W/ WINDOW BULLET #5. SEE PLUMB. DWGS. AND OWNER FOR SPECS. AND SIZE. SHOWER HEAD @ 48"-78".

- INDICATES POT-SHELF ABOVE/TOP OF SHEATING 48"-5" REFER TO PLANS & INTERIOR ELEVATIONS
- INDICATES LOWERED CEILING/SOFFIT REFER TO PLANS AND INTERIOR ELEVATIONS.

WALL SCHEDULE

- = 2x6 WALL
- =FIRE SEPARATION WALL
- = 2 HR COMMON FIRE WALL

SHELVING OPTIONS:

- (A) (PANTRY) (4) 12" DEEP SHELVES EQUALLY SPACED.
- (B) (PANTRY) (4) 16" DEEP SHELVES EQUALLY SPACED.
- (C) (LINEN) (5) 12" DEEP SHELVES EQUALLY SPACED.
- (D) (LINEN) (5) 16" DEEP SHELVES EQUALLY SPACED.
- (E) (CLOSET) (1) 12" DEEP SHELF AND POLE @ 66".
- (F) (CLOSET) (2) 12" DEEP SHELF AND POLE @ 40" & 66".
- (G) (LAUNDRY) (1) 12" DEEP SHELF.

NOTE:
ALL SHELVES ARE WOOD OR WOOD W/LAMINATE FINISH, VERIFY W/OWNER, POLES ARE WOOD W/METAL ROSETTES

DOOR & WINDOW SCHEDULE

DOOR LEGEND:

- HC = HOLLOW CORE WOOD DOOR
- SC = SOLID CORE WOOD DOOR
- FR = FRENCH W/TEMPERED GLAZING
- FA = FRENCH ATRIUM W/TEMPERED GLAZING
- BP = BYPASS DOORS
- SG = TEMPERED SLIDING GLASS
- FC = FIBER CLASSIC

WINDOW LEGEND:

- FX = FIXED WINDOW
- SL = SLIDER
- SH = SINGLE HUNG
- HR = HALF ROUND
- AR = ARCHED
- TEMP. = TEMPERED GLAZING REQ'D IN HAZARDOUS LOC. INSTALL PER I.R.C. CODE.

NOTE:
OWNER MAY SUBSTITUTE ANY DOOR MATERIAL ON ANY DOOR EXCEPT RATED DOORS AND DOORS REQUIRED BY CODE.

SQUARE FOOTAGE:

FIRST FLOOR:	1786	SQUARE FEET
SECOND FLOOR:	114	SQUARE FEET
TOTAL LIVING:	1900	SQUARE FEET
GARAGE:	433	SQUARE FEET
COVERED ENTRY:	57	SQUARE FEET
FRONT DECK:	109	SQUARE FEET
REAR COVERED DECK:	48	SQUARE FEET

KEYNOTES:

1. MIN. 36" WIDE X MIN. 36" DEEP X 4" THICK CONCRETE LANDING. STOOP WIDTH SHALL NOT BE LESS THAN THE DOOR SERVED.
2. THIS WALL RATED 1-HOUR LESS THAN 5'-0" OF THE PROPERTY LINE THAT IS BETWEEN BUILDINGS. USE 1-HOUR FIRE RATED WALL ASSEMBLY SEE 1/AD#00.
3. CARPET STRIP.
4. CEILING LINE
5. TILE, SEE SPEC. SHEET.
6. DRYER EXHAUST VENT, SEE MECHANICAL DRAWINGS FOR VENT LENGTH.
7. RECESSED WATER VALVE BOX, VERIFY WITH PLUMBING DWGS.
8. PRE PLUMB FOR OPTIONAL SINK, VERIFY WITH PLUMBING DWGS.
9. NOT USED.
10. SOFT WATER LOOP
11. BASE CABINETS, SEE OWNER FOR TYPE AND MODEL.
12. WALL MOUNTED UPPER CABINETS, SEE OWNER FOR TYPE AND MODEL.
13. NOT USED
14. UNDER COUNTER DISHWASHER.
15. REFRIGERATOR/FREEZER LOCATION.
16. RECESSED ICE MAKER BOX WITH VALVE.
17. CENTER WINDOW OR DOOR ON EXTERIOR WALL.
18. NOT USED
19. NOT USED
20. NOT USED
21. 1/2" GYP. BD. DRAFTSTOP SHOWN DASHED
22. TEMPERED GLASS
23. FIBERGLASS SHOWER PAN
24. 2'-6" STONE W/6" WIDE FOAM TRIM RETURN. SEE EXTERIOR ELEVATION.
25. STONE VENEER, SEE EXTERIOR ELEVATION.
26. WATER HEATER PLATFORM TO BE A MINIMUM OF 18" A.F.F. 3/4" PLYWOOD AT WATER HEATER PLATFORM. MIN 6" BITUMEN ABOVE PLATFORM SURROUNDS
27. 24" DEEP CABINET ABOVE

GENERAL NOTES:

1. THE GARAGE SIDE WALLS & CEILING SHALL BE 5/8" TYPE 'X' GYPSUM BOARD. ALL OTHER CEILINGS SHALL BE 5/8" GYP.BD. OWNER CAN USE 1/2" MIN. GYP. BD. ON WALLS THAT ARE NOT RATED WALLS OR RECD. BY CODE.
2. THE DOOR BETWEEN THE GARAGE AND THE DWELLING UNITS SHALL BE EITHER SOLID WOOD OR METAL CLAD HONEYCOMB DOORS NOT LESS THAN 1 3/8" THICK OR A 20 MIN. DOOR. DOORS SHALL BE SELF-CLOSING & SELF-LATCHING W/A TIMELY FRAME.
3. REFER TO BUILDER FOR QUANTITY AND LOCATION OF BULLNOSE DRYWALL CORNERS.
4. ALL BASE SHALL BE REVERSIBLE GRADE.
5. WHEN CERAMIC TILE, CULTURED MARBLE OR LIKE FINISHES ARE INSTALLED A BACKER BOARD OF CEMENT, FIBER CEMENT, OR GLASS MAT GYPSUM BACKERS IN COMPLIANCE WITH ASTM C1288, C1325 OR C1178 ARE TO BE USED IN THE TUBS TO A HEIGHT OF THE TILE IN TUB/SHOWER OR IN SHOWER FLOOR TO CEILING AND ON THE CEILING TO THE EDGE OF THE TILE OR EDGE OF TUB/SHOWER, WHICHEVER IS GREATEST.
6. PENETRATIONS WILL NOT BE ALLOWED THROUGH FIRE RESTRICTIVE WALLS, FLOOR/CEILING AND ROOF/CEILING ASSEMBLIES WITHOUT APPROVED DETAILS.
7. ALL APPLIANCES AND PLUMBING FIXTURES SHALL BE SELECTED BY OWNER.
8. SEE OWNER FOR ALL CABINETRY SPECIFICATIONS.
9. AT TUBS, SHOWERS, & TUB/SHOWER COMBOS THAT ABUT RATED WALLS, 5/8" TYPE 'X' GYPSUM BOARD MUST BE INSTALLED BETWEEN THE TUB, OR SHOWER, OR TUB/SHOWER COMBO AND THE RATED WALL.
10. KITCHEN COUNTER TOP @ 36", TYP. U.N.O. SEE OWNER FOR TYPE & STYLE.
11. MIRROR ABOVE ALL LAV'S. TYP. U.N.O. SEE OWNER FOR SPECS.

ATTIC ACCESS, CATWALK & WORKING PLATFORM:
- PROVIDE A 24" WIDE X 30" HIGH SOLID CATWALK.
- A WORKING PLATFORM AT CONTROL SIDE OF FAU 30" IN DEPTH, WIDTH & HEIGHT SHALL BE PROVIDED.
- WHERE THE HEIGHT OF THE PASSAGEWAY IS LESS THAN 6 FT. THE DISTANCE FROM THE ACCESS TO THE FAU SHALL NOT EXCEED 20 FT. MEASURED ALONG THE CENTERLINE OF THE PASSAGEWAY.

DOORS:
- FRONT ENTRY DOOR SHALL HAVE WEATHER-STRIPPING 4 THRESHOLD, A PEEP HOLE @ 4'-6" AND BE PROVIDED W/A LOCKSET AND DEADBOLT.
- PROVIDE PRIVACY LOCKS AT MASTER BEDROOM & ALL BATHROOM DOORS U.N.O.
- ALL BY-PASS AND BI-FOLD DOORS SHALL BE WHITE ON WHITE U.N.O.
- ALL DOORS TO HAVE 3" JAMBS.

WINDOWS:
1. ALL WINDOWS TO BE THERMAL-PANE GLASS.
2. PROVIDE LOW 'E' WINDOW. VERIFY W/ECC CALCS BY MECHANICAL ENGINEER.
3. ESCAPE AND RESCUE WINDOWS SHALL HAVE A MIN. SILL HEIGHT OF 44" & MIN. NET CLEAR OPENABLE AREA OF 5.7 SQ. FT. THE MIN. NET CLEAR OPENABLE HEIGHT DIM. SHALL BE 24". THE MIN. NET CLEAR OPENABLE WIDTH DIM. SHALL BE 20". WHEN WINDOWS ARE PROVIDED AS A MEANS OF ESCAPE AND RESCUE THEY SHALL HAVE A FINISHED SILL.
* EXCEPTIONS:
A. MINIMUM NET CLEAR OPENING FOR A ESCAPE AND RESCUE GRADE FLOOR OPENING SHALL BE 5 SQ.FT.
* CONTRACTOR SHALL INSTALL TEMPERED GLAZING IN HAZARDOUS LOCATIONS:
4. GLAZING IN SWING DOORS, FIXED & SLIDING PANELS OF SLIDING DOORS & PANEL IN FOLDING & BI-FOLD DOORS & IN STORY DOORS & IMPROVED GARAGE DOORS.
5. GLAZING IN DOORS & ENCLOSURES FOR HOT TUBS, WHIRLPOOLS, SAUNAS, STEAM ROOMS, BATH TUBS & SHOWERS. GLAZING WHERE BOTTOM EXPOSED EDGE IS LESS THAN 60" ABOVE A STANDING SURFACE.
6. GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL ADJACENT TO A DOOR WHERE THE NEAREST EXPOSED EDGE IS WITHIN A 24" ARC OF EITHER VERTICAL EDGE OF THE DOOR IN A CLOSED PORTION AND WHERE THE BOTTOM EDGE IS LESS THAN 60" ABOVE WALKING SURFACE.
* EXCEPTIONS:
A. PANELS WHERE THERE IS A WALL BARRIER BETWEEN THE DOOR & GLAZING.
B. WHERE DOOR IS TO A CLOSET 3'-0" DEEP OR LESS & GLAZING PANELS R308.4 (SEE NOTE 1 BELOW).
C. GLAZING IN WALLS PERPENDICULAR TO THE PLANE OF THE DOOR IN CLOSED POSITION OTHER THAN THE WALL THE DOOR SWINGS TOWARD.
7. GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL OTHER THAN THOSE LOCATIONS DESCRIBED ABOVE THAT MEETS ALL OF THE FOLLOWING CONDITIONS:
A. EXPOSED AREA OF AN INDIVIDUAL PANE GREATER THAN 9 SF.
B. EXPOSED BOTTOM EDGE IS LESS THAN 18" ABOVE THE FLOOR.
C. EXPOSED TOP EDGE IS GREATER THAN 36" ABOVE THE FLOOR.
D. ONE OR MORE WALKING SURFACES WITHIN 36" HORIZONTALLY OF THE PLANE OF THE GLAZING.

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MONTAGE ESTATES
PLAN #3
LARRY TINDALL
RESIDENTIAL DESIGNER
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REVISION	DATE	NOTES

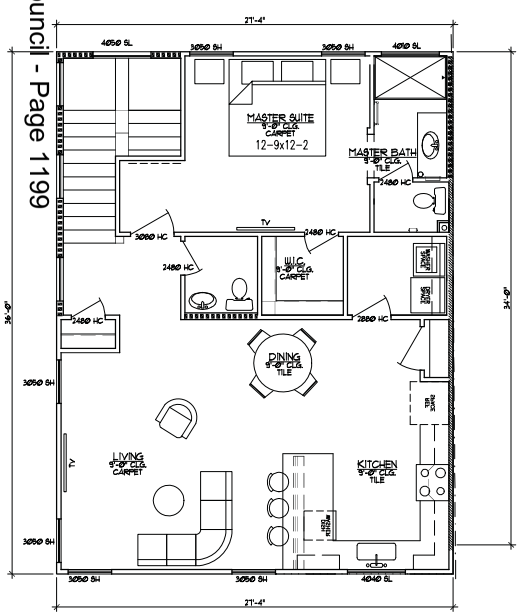
FLOOR PLANS

JOB NO:
FILE NAME:
DATE: 3-8-19
UPDATE:

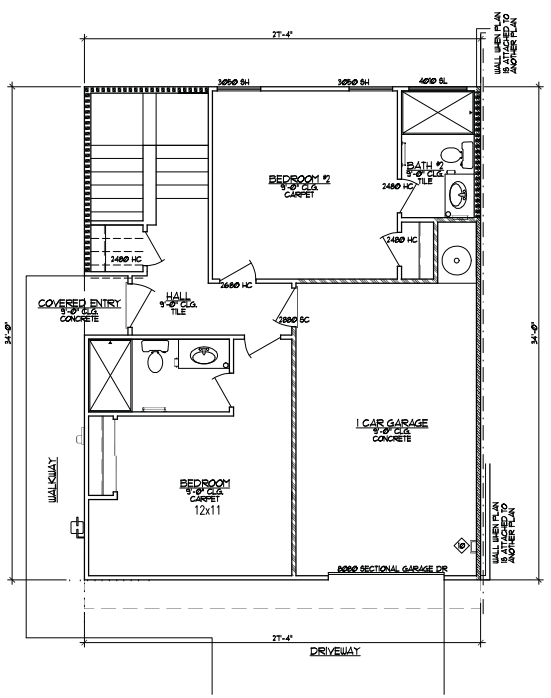
A011

LPRU-16700
EXPIRATION DATE 12/31/19

City Council - Page 1199



(2) SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"



(1) FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

SYMBOLS:

- TYP. RECESSED MOUNTED MEDICINE CABINET. SEE OWNER FOR TYPE & MODEL
- TOWEL BAR, SEE OWNER FOR SIZE & SPECIFICATIONS.
- TOWEL RING, SEE OWNER FOR SPECIFICATIONS.
- TOILET TISSUE HOLDER, SEE OWNER FOR SPECIFICATIONS.
- SOFT WATER LOOP, SEE PLUMBING DRAWINGS.
- LAVATORY, SEE OWNER AND PLUMBING DRAWINGS FOR SPECIFICATIONS.
- DASHED LINES INDICATES OPT. PLUMBING FIXTURE. SEE OWNER AND PLUMB. DWGS. FOR SPECIFICATIONS.
- UTILITY SINK. SEE OWNER AND PLUMB. DWGS. FOR SPECIFICATIONS.
- ROUND WATER CLOSET, SEE OWNER AND PLUMB. DWGS. FOR TYPE & MODEL. ALLOW A 30" WIDE X 24" DEEP SPACE IN FRONT OF W.C.
- ELONGATED WATER CLOSET, (SEE OWNER AND PLUMB. DWGS. FOR TYPE & MODEL). ALLOW A 30" WIDE X 24" DEEP SPACE IN FRONT OF W.C.
- ELECTRICAL SERVICE PANEL. SEE 9/AD#00. SEE ELEC. LOAD CALCS. FOR SIZE.
- GAS METER, SEE UTILITY DRAWINGS FOR LOCATION.
- COMBUSTION AIR VENT, SEE MECH. DWGS.
- WH — WATER HEATER W/DRAIN PAN. WHEN IN GARAGE 18" HIGH BASE (W/) 3/4" OR (2) 1/2" PIECES OF SHEATHING MIN. WORKABLE FINISH TOP & SIDES. SEE OWNER FOR SPECS. SEE 13/AD#00 OR 14/AD#00.
- CONDENSER ON CONC. PAD, SEE MECH. DWGS FOR SIZE & MODEL.
- NON-VENTED RANGE W/ HOOD OR OPTIONAL OVERHEAD EXHAUST HOOD, SEE OWNER FOR TYPE AND MODEL.
- SINK WITH GARBAGE DISPOSAL. SEE OWNER AND PLUMB. DWGS. FOR TYPE AND MODEL.
- W — WASHER, SEE OWNER FOR TYPE AND MODEL.
- D — DRYER, SEE OWNER FOR TYPE AND MODEL.
- TUB/SHOWER ENCLOSURE W/NON-ABSORBENT SURFACE W/ROD OR OPT. TEMPERED SLIDING GLASS DOORS. SEE GEN. NOTES W/WINDOW BULLET #5. SEE PLUMB. DRAWINGS AND OWNER FOR SPECS. AND SIZE. SHOWER HEAD @ +6'-10"
- SHOWER ENCLOSURE W/NON-ABSORBENT SURFACE & TEMPERED GLASS DOOR. SEE GEN NOTES W/ WINDOW BULLET #5. SEE PLUMB. DWGS. AND OWNER FOR SPECS. AND SIZE. SHOWER HEAD @ +6'-10".

- INDICATES POT-SHELF ABOVE/TOP OF SHEATING @ 5'-5" REFER TO PLANS & INTERIOR ELEVATIONS
- INDICATES LOWERED CEILING/SOFFIT REFER TO PLANS AND INTERIOR ELEVATIONS.

WALL SCHEDULE

- = 2x6 WALL
- =FIRE SEPARATION WALL
- = 2 HR COMMON FIRE WALL

SHELVING OPTIONS:

- (A) (PANTRY) (4) 12" DEEP SHELVES EQUALLY SPACED.
- (B) (PANTRY) (4) 16" DEEP SHELVES EQUALLY SPACED.
- (C) (LINEN) (5) 12" DEEP SHELVES EQUALLY SPACED.
- (D) (LINEN) (5) 16" DEEP SHELVES EQUALLY SPACED.
- (E) (CLOSET) (1) 12" DEEP SHELF AND POLE @ +66".
- (F) (CLOSET) (2) 12" DEEP SHELF AND POLE @ +40" & +66".
- (G) (LAUNDRY) (1) 12" DEEP SHELF.

NOTE:
ALL SHELVES ARE WOOD OR WOOD W/LAMINATE FINISH, VERIFY W/OWNER, POLES ARE WOOD W/METAL ROSETTES

DOOR & WINDOW SCHEDULE

DOOR LEGEND:

- HC = HOLLOW CORE WOOD DOOR
- SC = SOLID CORE WOOD DOOR
- FR = FRENCH W/TEMPERED GLAZING
- FA = FRENCH ATRIUM W/TEMPERED GLAZING
- BP = BYPASS DOORS
- SG = TEMPERED SLIDING GLASS
- FC = FIBER CLASS/C

WINDOW LEGEND:

- FX = FIXED WINDOW
- SL = SLIDER
- SH = SINGLE HUNG
- HR = HALF ROUND
- AR = ARCHED
- TEMP. = TEMPERED GLAZING REQ'D IN HAZARDOUS LOC. INSTALL PER I.R.C. CODE.

NOTE:
OWNER MAY SUBSTITUTE ANY DOOR MATERIAL ON ANY DOOR EXCEPT RATED DOORS AND DOORS REQUIRED BY CODE.

SQUARE FOOTAGE:

FIRST FLOOR:	644	SQUARE FEET
SECOND FLOOR:	914	SQUARE FEET
TOTAL LIVING:	1558	SQUARE FEET
GARAGE:	273	SQUARE FEET
COVERED ENTRY:	12	SQUARE FEET

KEYNOTES:

1. MIN. 36" WIDE X MIN. 36" DEEP X 4" THICK CONCRETE LANDING. STOOP WIDTH SHALL NOT BE LESS THAN THE DOOR SERVED.
2. THIS WALL RATED 1-HOUR LESS THAN 5'-0" OF THE PROPERTY LINE THAT IS BETWEEN BUILDINGS. USE 1-HOUR FIRE RATED WALL ASSEMBLY SEE 1/AD#00.
3. CARPET STRIP.
4. CEILING LINE
5. TILE, SEE SPEC. SHEET.
6. DRYER EXHAUST VENT, SEE MECHANICAL DRAWINGS FOR VENT LENGTH.
7. RECESSED WATER VALVE BOX, VERIFY WITH PLUMBING DWGS.
8. PRE PLUMB FOR OPTIONAL SINK, VERIFY WITH PLUMBING DWGS.
9. NOT USED.
10. SOFT WATER LOOP
11. BASE CABINETS, SEE OWNER FOR TYPE AND MODEL.
12. WALL MOUNTED UPPER CABINETS, SEE OWNER FOR TYPE AND MODEL.
13. NOT USED
14. UNDER COUNTER DISHWASHER.
15. REFRIGERATOR/FREEZER LOCATION.
16. RECESSED ICE MAKER BOX WITH VALVE.
17. CENTER WINDOW OR DOOR ON EXTERIOR WALL.
18. NOT USED
19. NOT USED
20. NOT USED
21. 1/2" GYP. BD. DRAFTSTOP SHOWN DASHED
22. TEMPERED GLASS
23. FIBERGLASS SHOWER PAN
24. 2'-6" STONE W/6" WIDE FOAM TRIM RETURN. SEE EXTERIOR ELEVATION.
25. STONE VENEER, SEE EXTERIOR ELEVATION.
26. WATER HEATER PLATFORM TO BE A MINIMUM OF 18" AFF. 3/4" PLYWOOD AT WATER HEATER PLATFORM, MIN 6" BITUMEN ABOVE PLATFORM SURROUNDS
27. 24" DEEP CABINET ABOVE

GENERAL NOTES:

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* EXCEPTIONS:
A. MINIMUM NET CLEAR OPENING FOR A ESCAPE AND RESCUE GRADE FLOOR OPENING SHALL BE 5 SF.
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C. GLAZING IN WALLS PERPENDICULAR TO THE PLANE OF THE DOOR IN A CLOSED POSITION OTHER THAN THE WALL THE DOOR SWINGS TOWARD.
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MONTAGE ESTATES
PLAN #2
LARRY TINDALL
RESIDENTIAL DESIGNER

REVISION	DATE	NOTES

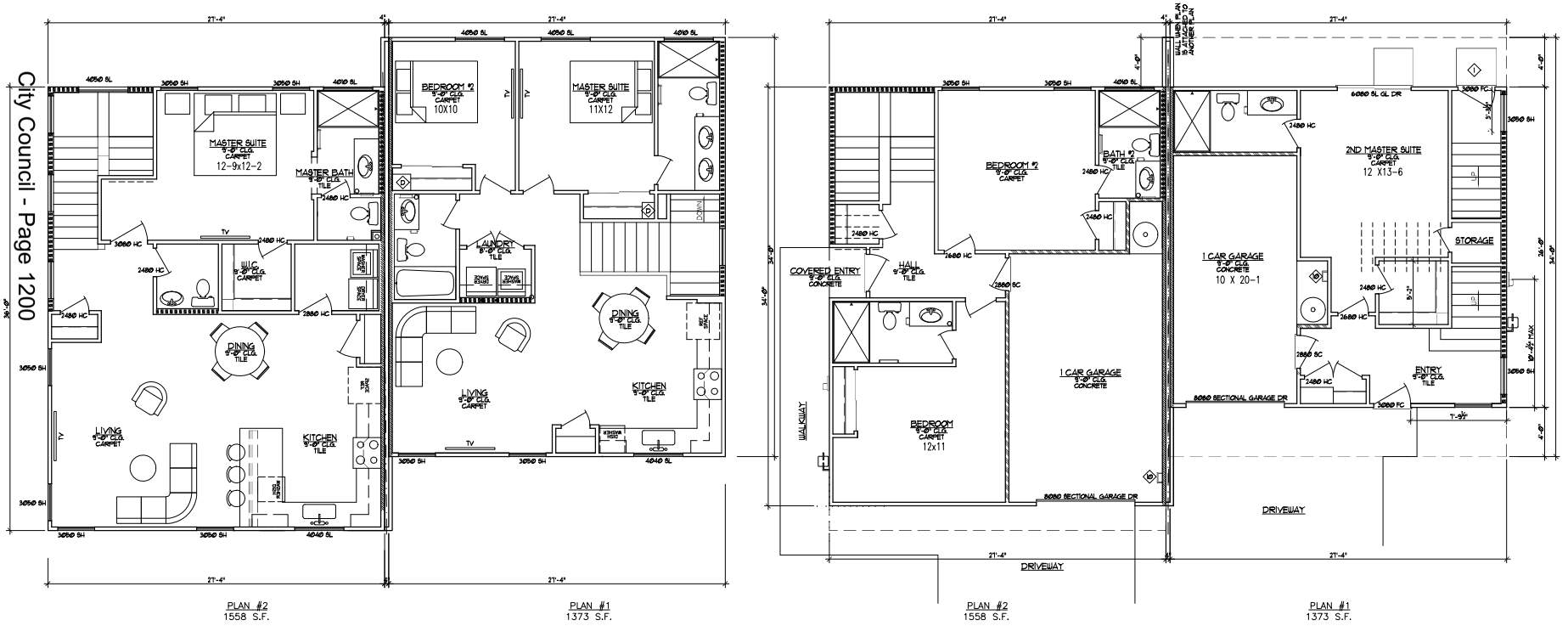
FLOOR PLANS

JOB NO:
FILE NAME:
DATE: 3-8-19
UPDATE:

A012

PRJ-35700
EXPIRES: 12/31/19

City Council - Page 1200



(2) SECOND FLOOR BUILDING TYPE #1
SCALE: 1/4" = 1'-0"

(1) FIRST FLOOR BUILDING TYPE #1
SCALE: 1/4" = 1'-0"

PRJ-75700
05/07/19

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RESIDENTIAL DESIGNER
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MONTAGE ESTATES
BUILDING TYPE #1
LARRY TINDALL
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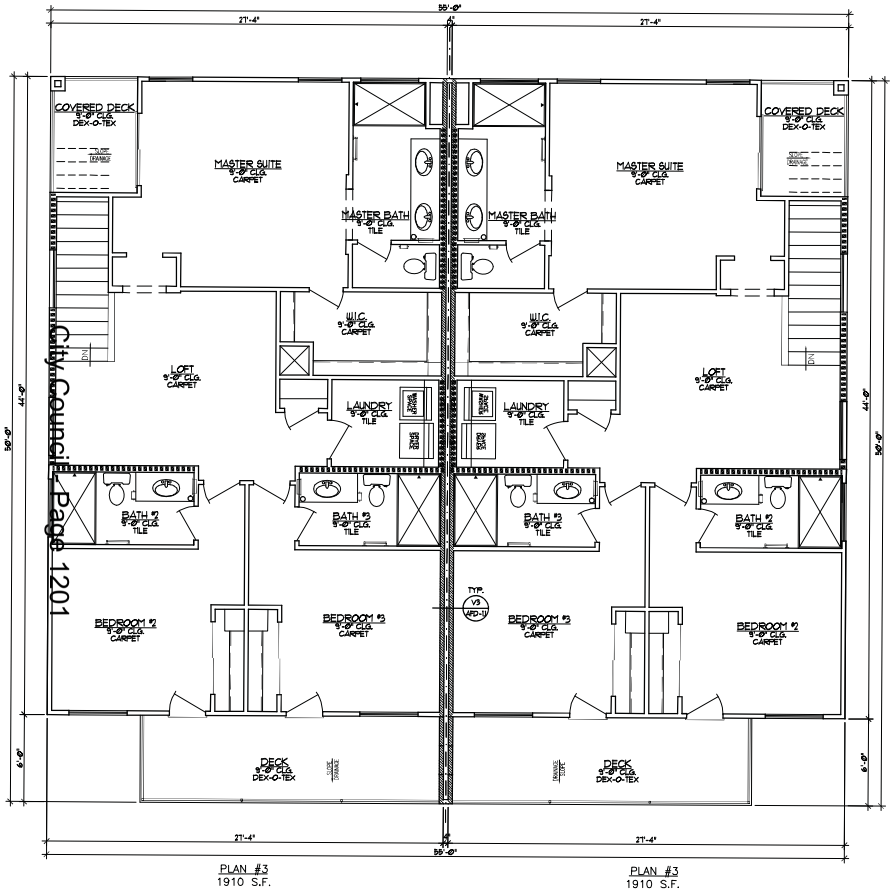
REVISION	DATE	NOTES

FLOOR PLANS

JOB NO.:
FILE NAME:
DATE: 3-8-19
UPDATE:

AB010



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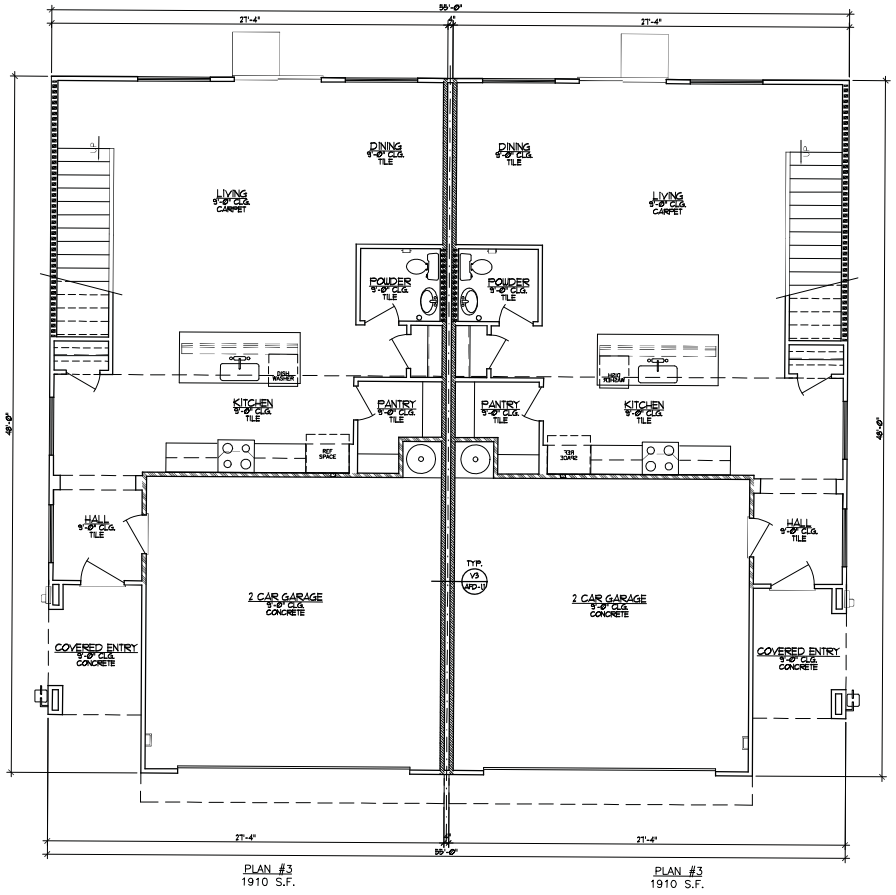
SCALE: 1/4" = 1'-0"



(1) FIRST FLOOR BUILDING TYPE #2
SCALE: 1/4" = 1'-0"

City Council Page 1201

PRJ-75700
05/07/19

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MONTAGE ESTATES
BUILDING TYPE #2
LARRY TINDALL
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REVISION	DATE	NOTES

JOB NO.
FILE NAME:
DATE: 3-8-19
UPDATE:

FLOOR PLANS

AB011



VAR-75819 [PRJ-75700] - VARIANCE RELATED TO VAR-75820, VAR-75821, SDR-75822 AND TMP-75823 - APPLICANT/OWNER: SK USA, LLC
NORTH SIDE OF BONANZA ROAD, EAST OF DECATUR BOULEVARD

02/28/19



VAR-75819 [PRJ-75700] - VARIANCE RELATED TO VAR-75820, VAR-75821, SDR-75822 AND TMP-75823 - APPLICANT/OWNER: SK USA, LLC
NORTH SIDE OF BONANZA ROAD, EAST OF DECATUR BOULEVARD

02/28/19



VAR-75819 [PRJ-75700] - VARIANCE RELATED TO VAR-75820, VAR-75821, SDR-75822 AND TMP-75823 - APPLICANT/OWNER: SK USA, LLC
NORTH SIDE OF BONANZA ROAD, EAST OF DECATUR BOULEVARD

02/28/19

John R. Hamilton Enterprises, Inc.

3945 Pebble Creek Avenue ● Las Vegas ● Nevada ● 89147
Ph: (702) 580-3658 ● John@JRHamiltonEnterprises.com

Monday, February 18, 2019

City of Las Vegas
333 North Rancho Drive
Las Vegas, Nevada 89106 Ph: (702) 229-6301

Re: APN 139-30-306-003 North side of Bonanza Road approximately 1630 ft east of intersection of Decatur Blvd.
MONTAGE ESTATES - WAIVER OF DEVELOPMENT STANDARDS

Attn: Planning Division,

The purpose of this letter is to provide the required justification to the City of Las Vegas for approval of the following deviations from standards as outlined within the Uniform Standard Drawings for Clark County Area (USDCCA), adopted by the City of Las Vegas, and Title 19, as well as a variance to allow residential buildings to have a height of three (3) stories where two stories (2) is the maximum allowed for the project development under Title 19 for R-2 Zoning.

The City of Las Vegas requires a 51-ft right of way for Cul-De-Sac private streets per USDCCA #212 and the principal vehicular entrance gate must have a minimum width of 50-feet per Title 19.04.070. The site has restricted access width from Bonanza Road limited to a maximum of 47.5-ft per File 118, Page 61 of Parcel Maps to preclude compliance. A minimum 47-ft private street right-of-way width is provided. To facilitate entrance gates while maintaining fire department access, sidewalk is provided on one side of the street within the throat depth area of the Cul-De-Sac. Title 19.04.230 allows a private street located within a gated community to have a minimum street width of 24-feet as measured from face of curb to face of curb with a minimum 5-ft sidewalk on 1-side. As interpreted from 19.040.070, when a street ends in a cul-de-sac, the private street cannot provide access to more than four single family residential lots. For clarity, this project development will be subdivided into 3 lots encompassing 9 buildings for a total of 18 condominium residential units being separate from free standing single-family residential lots. USDCCA #212 limits the length of a cul-de-sac to 500-feet; whereas, Title 19.04.100 is permissive up to 600-feet with declaration that excess length shall be allowed only if approved by the Fire Code Official. Therefore, the project development provides for a dead-end stub where a cul-de-sac is normally required. Along centerline of the private street, the cul-de-sac is 597 ft to its center and 635.50 ft to the projected lip of gutter. From this projected lip of gutter, the stub street is less than 150 ft being 136.61 ft to its lip of gutter.

PRJ-75700
02/19/19

The unique and restricting dimensions of the flag lot layout of the parcel precludes compliance without approval by the Fire Code Official, which has been secured per the attached email chain dated February 6, 2019. Please recognize that during the engineering phase of the project development will determine the actual fire code requirements including but not limited to the type of automatic fire sprinkler systems once a Fire Protection Engineer has been selected for this project development as there are inherently other variables to impact design. The significance of the attached email chain is to convey acceptance of the private street cul-de-sac layout by the Fire Code Official.

The unique and restricting dimensions of the flag lot layout of the parcel precludes compliance of adequately sized residential units without obtaining a variance to allow residential buildings having a height of three (3) stories where two stories (2) is the maximum allowed. This is made clearer of the limited building footprint of the residential units around the bulb of the cul-de-sac while adhering to Title 19 setback requirements.

The curb and gutter for the Cul-De-Sac is R-Type residential curbing per USDCCA #217.3.S1 to preclude the necessity of pan driveways within the Cul-De-Sac that would otherwise conflict with utility infrastructure including but not limited to electrical transformers and utility boxes. The site is accessed via an existing pan driveway from Bonanza Road that is to remain in place as a part of this project development since a typical curb return driveway would encroach onto the adjacent parcels of land.

We feel this project development conforms to the intent of Title 19 to request approval of these deviations from standards and variance request. I trust this letter concludes this portion of the review and approval process; however, if you should have any questions, please do not hesitate to contact my office at (702) 580-3658.

Respectfully submitted,

REGISTERED PROFESSIONAL ENGINEER-STATE OF NEVADA
JOHN R. HAMILTON
Exp: 06/30/2019
CIVIL
No. 015732

2/18/2019

John R. Hamilton, P.E.
President / Principal Civil Engineer

Att: Parcel Map File 118, Page 61
Cul-De-Sac Uniform Standard Drawings #212
R-Type Curb & Gutter Uniform Standard Drawings #217.3.S1

J.R. HAMILTON CIVIL ENTERPRISES

PRJ-75700
02/19/19

John R. Hamilton

From: David F. Klein <Dklein@LasVegasNevada.GOV>
Sent: Thursday, February 7, 2019 8:43 AM
To: John R. Hamilton; Jason Binks; Steve Swanton
Cc: csabameiszburger@me.com; 'George Varhelyi'; Larry Tindall; Brian Halvorson
Subject: RE: APN 139-30-306-003 - PREAPP2019-009926 - Montage Estates

Follow Up Flag: Follow up
Flag Status: Completed

Good morning. We seem to be going back and forth on code requirements when we do not have a definitive project. Once it is decided on what will be proposed, and obtain a planning approval for the development, we can have nail down fire code requirements.

Thanks

David F. Klein
Deputy Fire Marshal | Fire Protection Engineering
Las Vegas Fire & Rescue, Fire Prevention Division
333 N. Rancho Drive, #500, Las Vegas, NV 89106
Direct: 702-229-0336 | Cell 702-303-0720

lasvegasnevada.gov

From: John R. Hamilton <John@JRHamiltonEnterprises.com>
Sent: Wednesday, February 06, 2019 4:57 PM
To: David F. Klein <Dklein@LasVegasNevada.GOV>; Jason Binks <jbinks@LasVegasNevada.GOV>; Steve Swanton <sswanton@LasVegasNevada.GOV>
Cc: csabameiszburger@me.com; 'George Varhelyi' <gv23lasvegas@gmail.com>; Larry Tindall <larry@ltrdcorp.com>; Brian Halvorson <bhalvorson@LasVegasNevada.GOV>; John R. Hamilton <John@JRHamiltonEnterprises.com>
Subject: RE: APN 139-30-306-003 - PREAPP2019-009926 - Montage Estates

EXTERNAL EMAIL

Wednesday, February 6, 2019

Cc: Project Team,

Hi David,

PRJ-75700
02/19/19

My Client is working to get a Fire Protection Engineer involved on the project development.

a) In general, my concern with a 13R system is the Fire Department Connection. Since this is a "watered down" system from a 13 system, can the distance between a hydrant and the FDC be lengthened from 100-ft as outlined in the CLV Fire Notes. I took a look at the 2012 International Fire Code and I didn't see a specific reference to distance from a hydrant except that the distance should be relative to the type of system installed. Also, I don't have a copy of the NFPA manual. Once we have a Fire Protection Engineer involved, then I can look more closely at their design requirements but from what I gathered there seems to be flexibility with the Fire Chief or Fire Marshal on this established distance. For our site layout, it doesn't seem practical to comply with the 100-ft requirement outlined in the Fire Notes and to provide additional lead-ins would necessitate looping the system, which is something we can't implement due to site constraints. That being said, there seems to be some flexibility within the IFC Code at the discretion of the Fire Marshal on the distance from a hydrant to a FDC. I noticed some jurisdictions have this set more than 100-ft at 150-ft and other a bit less at 75-ft. For a 13R system, can this distance be increased.

b) With a NFPA 13 system, a fire riser room is required. With a 13R system, I suspect a hybrid between 13 and 13-D. Case being, is there a CLV requirement on this aspect? To build a temperature controlled and dedicated fire riser room with external fire department access as would be required with a 13 system isn't practical for this development. Again, likely a question for the Fire Protection Engineer but if you have any thoughts are certainly welcome.

c) Finally, with a FDC system. It will be inherently required to protect the municipal water supply in the case of pressurization. Since the system would be connected to the meter, there is the potential for back flow in such an event of pressurization. Therefore, each meter would need to be equipped with a ¾-inch RPPA backflow device. The concern I have here is that the pressure zone is 2300 resulting in 46± psi. I'll have to run the numbers but it seems we're going to have additional head loss crossing the backflow device in addition to the meter. Per the LVVWD charts, the head loss across a ¾-inch meter is 15 psi. This drops our pressure down to 31 psi. Per the LVVWD charts, the head loss across a ¾-inch backflow is 20 psi. This means that each residential unit will be left with 11 psi. Granted that 31 psi is not favorable but at least workable. At 11 psi, the water pressure in each unit is severely impacted.

d) Typically fire flow is reduced 50% when equipped with a sprinkler system. Does this apply to 13R as well in the City of Las Vegas? In other words, our fire flow is 2000 gpm but equipped with sprinkler system the flow requirement drop to 1500 gpm (i.e. minimum per IBC and IFC). Would you concur on this aspect as the code isn't clear on reductions across different types of sprinkler systems such as 13D, 13R, and 13, if any. My interpretation is simply sprinkler or not. If sprinkler, then 50% applies. In this case, the fire flow then becomes 1500 gpm.

Essentially, I am looking for options. We'll have to get a Fire Protection Engineer involved to answer some of my questions but at the moment if you have any feedback, it is certainly welcome.

What are your thoughts?

If you have a moment, perhaps we can discuss over the phone.

Thanks again,

PRJ-75700
02/19/19

John R. Hamilton, P.E.
PRESIDENT / PRINCIPAL CIVIL ENGINEER
Ph: (702) 580-3658
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From: David F. Klein <Dklein@LasVegasNevada.GOV>
Sent: Wednesday, February 6, 2019 3:28 PM
To: John R. Hamilton <John@JRHamiltonEnterprises.com>; Jason Binks <jbinks@LasVegasNevada.GOV>; Steve Swanton <sswanton@LasVegasNevada.GOV>
Cc: csabameiszburger@me.com; 'George Varhelyi' <gv23lasvegas@gmail.com>; Larry Tindall <larry@ltrdcorp.com>; Brian Halvorson <bhalvorson@LasVegasNevada.GOV>
Subject: RE: APN 139-30-306-003 - PREAPP2019-009926 - Montage Estates

After review, the revision to relocate the turn-around is acceptable in addition to the following conditional items as discussed at the Pre-AP meeting.

1. Current Civil design reflects 13D systems. Such systems are intended for Single family dwellings which this is not. A NFPA 13R system shall be utilized.
2. Proposed access gate shall comply with the City Council 2018 International Fire Code and regulations related to Automatic emergency access gates.
3. Street marking throughout Turn-around shall be marked with appropriate red curbs and signage as required by code.
4. Required fire flow shall be provided.

If you should have any questions, please contact me.

David F. Klein
Deputy Fire Marshal | Fire Protection Engineering

PRJ-75700
02/19/19

Las Vegas Fire & Rescue, Fire Prevention Division
333 N. Rancho Drive, #500, Las Vegas, NV 89106
Direct: 702-229-0336 | Cell 702-303-0720



lasvegasnevada.gov



From: John R. Hamilton <John@JRHamiltonEnterprises.com>
Sent: Wednesday, February 06, 2019 8:59 AM
To: Jason Binks <jbinks@LasVegasNevada.GOV>; Steve Swanton <sswanton@LasVegasNevada.GOV>; David F. Klein <Dklein@LasVegasNevada.GOV>
Cc: csabameiszburger@me.com; 'George Varhelyi' <gv23lasvegas@gmail.com>; Larry Tindall <larry@ltrdcorp.com>; John R. Hamilton <John@JRHamiltonEnterprises.com>
Subject: FW: APN 139-30-306-003 - PREAPP2019-009926 - Montage Estates

EXTERNAL EMAIL

Wednesday, February 6, 2019

Morning Jason,

Attached is the requested Tentative Map alternative procedure form. I have the original, which I will bring at our next meeting.

Did you have a some time to review the following email chain? I know you all have been very busy and your involvement is much appreciated.

I think we have resolved Fire Department concerns, however, I am pending feedback from David Klein, Deputy Fire Marshal. Also, I coordinate with the Architect and it looks like we will need the 3 stories with total height of 35 feet.

I think we'll still be OK with Fire Department but certainly want to get David's feedback. If we're OK, then it looks like it will come down to a Planning & Zoning process. In other words, do we do a variance or waiver for the 3 stories, etc. for R-2 zoning? I don't think we should go through another zone change because that could trigger concerns by the community that we're trying to a high density development such as an apartment development.

In either event, I think the main issue is getting the Fire Department onboard. I'm not that familiar with the differences between NFPA 13, 13R, and 13D; however, I recognize that a 13R system is a "watered down" version of the 13 system in that is allows for lower water discharge and shorter water supply duration. If not mistaken, I think a 13R system requires a FDC connection. In this instance, can it be external or does it require a fire riser room per building in the City of Las Vegas. Rather, I think a 13D system should be OK being less than 4-stories. We'll have to coordinate with our Fire Protection Engineer for design requirements but the issue I have is getting the 100-ft max distance to an FDC for each building under a 13R system. Rather, I would like to go with a 13D system if allowed although we're looking at 3 stories but less than 35-ft height since a 13D system does not require an FDC connection.

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I posed the questions in the email chain below. Perhaps we can touch base shortly as we want to keep the project on schedule.

Thanks again,

John R. Hamilton, P.E.
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Ph: (702) 580-3658
Email: John@JRHamiltonEnterprises.com

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From: John R. Hamilton <John@JRHamiltonEnterprises.com>
Sent: Monday, February 4, 2019 3:28 PM
To: 'Albert Sung' <ysung@lasvegasnevada.gov>; 'David F. Klein' <Dklein@LasVegasNevada.GOV>; Jason Binks (JBinks@LasVegasNevada.gov) <JBinks@LasVegasNevada.gov>; Roger Bailey (RBailey@LasVegasNevada.gov) <RBailey@LasVegasNevada.gov>; 'Steve Swanton' <SSwanton@LasVegasNevada.gov>
Cc: csabameiszburger@me.com; 'George Varhelyi' <gv23lasvegas@gmail.com>; Larry Tindall <larry@ltrdcorp.com>; Mike Lathan <mlathan@tricoresurveying.com>; John R. Hamilton <John@JRHamiltonEnterprises.com>
Subject: APN 139-30-306-003 - PREAPP2019-009926 - Montage Estates

Cc: SK USA, LLC.

Albert Sung, P.E., City of Las Vegas Flood Control
David Klein, Deputy Fire Marshal
Jason Binks, MPA
Roger Baily, Senior Engineering Associate
Steve Swanton, Senior Planner (AICP)

Hi Albert,

PRJ-75700
02/19/19

I am in the Tentative Map phase for a project development, which the Tentative Map (DRAFT) is attached. There are many factors that would trigger the need for a drainage study. One of these factors is site acreage. In general the site is 2.13 Acres being slightly over the trigger point of 2 acres that would generally necessitate a drainage study. In our particular case, this flag lot identified as APN 139-30-306-003 is not impacted by offsite flows. This site is surrounded by developed parcels of land and an existing block wall on the west and north boundaries. Onsite flows will discharge to the private street towards Bonanza Road. Assuming a rule of thumb of approximately 1.5 cfs per acre for residential, the anticipated site generated flow is on the order 3 to 4 cfs. One of the purposes of this email is to request a waiver of the drainage study so it is not made to be a condition of approval for our land use applications. Simply we would like to navigate the land use applications and once approved at City Council, we want to move forward with submittal of our Civil Improvement Plans. There are no existing or proposed drainage easements and all finish floor elevations are to comply with standard drainage requirements of 18-inches above TC.

What are your thoughts. If you concur that we can waive the drainage study requirement, please respond to all in this email to all parties as Planning will need to know if this will be required or not.

Thank you in advance for your consideration and if there is anything else you need, please let me know,

CLV Project Team,

Again, thank your for the pre-application meeting on January 30, 2019 for the Montage Estates project development. To this extent, the purpose of this email is to address the comments and/or concerns raised during this meeting. In addition to making these changes, it is inherent that certain questions may arise that need clarification. If you can, please take a moment to provide any additional feedback:

1) Complete. ADA Clarification: The site is accessed via an existing dustpan driveway. To provide ADA access, a 5-ft sidewalk will be provided along the westerly boundary being similar to the existing church development to the west. No other changes were made as a result of ADA access concerns. See photos below.
2) Complete. A single Condominium Map with 3-lots. The private street shall being a single lot. Provide property line and/or curve tables, if warranted.
3) Complete. Cul-De-Sac shift to be closer to 600-ft to avoid fire department secondary access. The center of the cul-de-sac is at Station 16+27.00. The property line is Station 10+30.00. This is a total distance of 597 ft. The private street west of the bulb is consider a fire apparatus access road and is less than 150-FT in length as measured from Station 18+02.11 to Station 16+65.50 being a difference of 136.61 feet.
4) Complete. Due to reconfiguration. Add another hydrant since the distance from the hydrant to the end of a dead-end street is greater than 200-ft.
5) Complete. Use a 13-R fire sprinkler system being appropriate for a duplex building where a 13-D system is more appropriate for a single family residence.

The attached Tentative Map is marked **DRAFT** as I am pending Architectural data on the buildings, which leads to the following questions specific to Fire Department and Planning. In the meantime, I am reporting the prior building data; however, it will be helpful to have more insight on the following questions.

Questions:

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Approved secondary fire apparatus access shall be provided for 100 or more dwelling units, road(s) with dead-ends or with a single point of access in excess of 600 ft. Commercial and industrial developments where buildings exceed 2 stories or 30 feet in height, or exceeding 62,000 square feet in area. [IFC § 503.1.2].

Question to David Klein: Now that the center of the bulb is at 597 ft, I think we have the secondary access resolved. We are evaluating the usefulness or practicality of 3 stories. If we do 3 stories but less than 35 ft total height, does this meet fire code. In other words, does the Fire Department consider this commercial instead of residential at 3 story height. If yes, then more than 2 stories requires secondary access and a maximum height of 30-ft. Since we cannot provide secondary access, then we will have to certainly restrict to 2-stories. In general what are your thoughts on this matter.

Question to David Klein: If we stay with 2-stories, then I presume the Fire Department will consider this residential instead of commercial and buildings are allowed at 35-ft instead of 30-ft, is this correct understanding? At what stage does the Fire Department consider this a commercial development versus a residential development?

Question to Steve Swanton and Jason Binks: If Fire is OK with 3 stories and 35-ft, does this change the development to multi-family to require rezoning to something else? In other words, are these still considered duplexes? What is your feedback.

Question to Steve Swanton and Jason Binks: In my mind, there is much overlap between a variance and a waiver. What is the difference? In the event that Fire Department is OK for 3-stories and 35 ft, do we need a waiver or a variance? If yes, is it a variance or a waiver? Please advise.

QUESTION TO ALL: I believe the attached Tentative Map resolves raised concerns. Any thoughts?

Thanks again,



PRJ-75700
02/19/19



John R. Hamilton, P.E.
PRESIDENT / PRINCIPAL CIVIL ENGINEER
Ph: (702) 580-3658
Email: John@JRHamiltonEnterprises.com

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3945 Pebble Creek Avenue
Las Vegas, Nevada 89147
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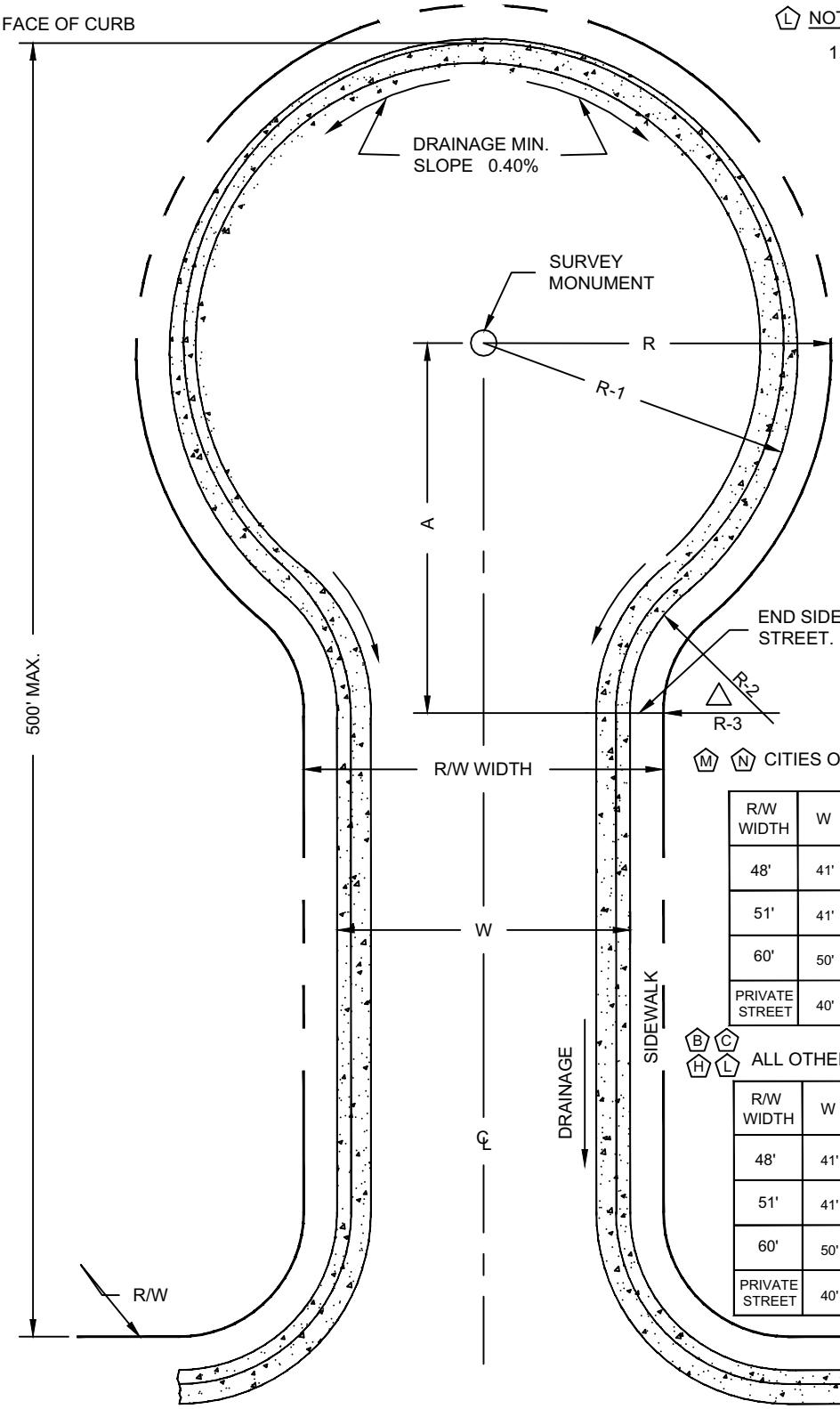
PRJ-75700
02/19/19



L NOTES:

1. ONLY 51' R/W AND PRIVATE STREET CUL-DE-SACS WILL BE ALLOWED IN THE CITY OF LAS VEGAS.

M N CITIES OF NORTH LAS VEGAS AND MESQUITE ONLY

R/W WIDTH	W	A	R	R-1	R-2	R-3
48'	41'	51.23' MIN.	49' MIN.	45.5' MIN.	19.5' MIN.	16' MIN.
51'	41'	51.23' MIN.	50.5' MIN.	45.5' MIN.	19.5' MIN.	14.5' MIN.
60'	50'	47.38' MIN.	50.5' MIN.	45.5' MIN.	19.5' MIN.	14.5' MIN.
PRIVATE STREET	40'	51.62' MIN.	45.5' MIN.	45.5' MIN.	19.5' MIN.	19.5' MIN.

B C H L ALL OTHER ENTITIES (CC, CLV, HEN, BC)

R/W WIDTH	W	A	R	R-1	R-2	R-3
48'	41'	44.72' MIN.	44' MIN.	40.5' MIN.	19.5' MIN.	16' MIN.
51'	41'	44.72' MIN.	45.5' MIN.	40.5' MIN.	19.5' MIN.	14.5' MIN.
60'	50'	40.25' MIN.	45.5' MIN.	40.5' MIN.	19.5' MIN.	14.5' MIN.
PRIVATE STREET	40'	45.16' MIN.	40.5' MIN.	40.5' MIN.	19.5' MIN.	19.5' MIN.

AGENCY APPROVED | B | C | H | L | M | N

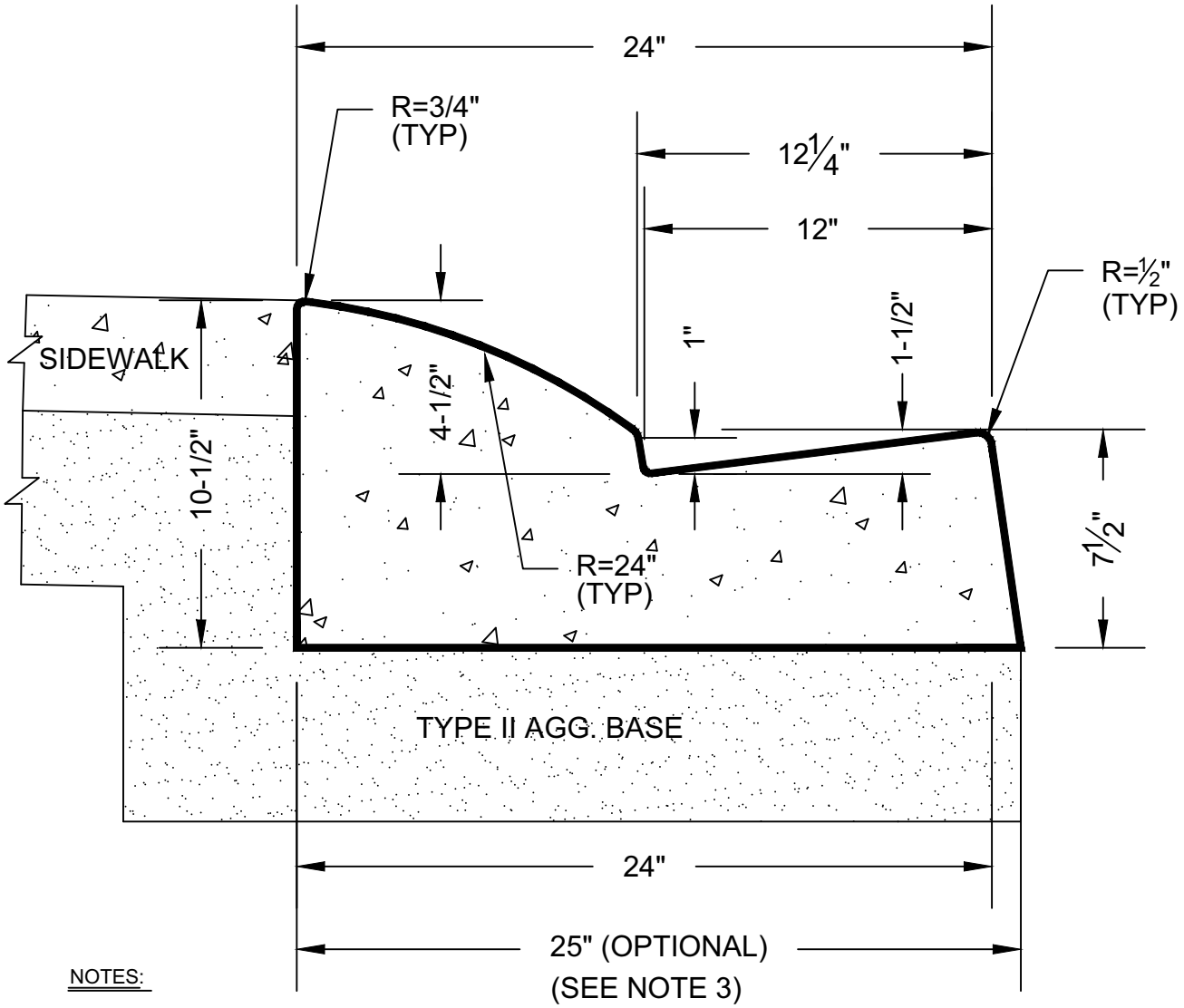
SPECIFICATION REFERENCE

UNIFORM STANDARD DRAWINGS
CLARK COUNTY AREA

CUL-DE-SAC

PRJ-75700
02/19/19

DATE 6-8-00 | DWG. NO. 212



NOTES:

1. WHERE LONGITUDINAL SLOPE IS LESS THAN 0.4% THE FLOW LINE SHALL BE WATER TESTED.
2. CONSTRUCT 1/2" EXPANSION JOINT AT ALL COLD JOINTS, AT BEGINNING AND END OF CURB RETURNS, AND AT 300 FT. MAX. INTERVALS FOR EXTRUDED CURB AND 30 FT. MAX. INTERVALS FOR FORMED CURB. WEAKENED PLANE JOINTS SHALL BE FORMED AT THE REMAINING 15 FT. INTERVALS. SEE STD. DWG. NO. 234 FOR JOINT DETAILS.
3. ONE INCH BATTER AT GUTTER FACE IS OPTIONAL.
4. NO UTILITY BOXES AND COVERS ADJACENT TO R-TYPE CURB SHALL BE ALLOWED AT DRIVEWAY LOCATIONS.
5. IF R-TYPE CURB IS APPROVED FOR OTHER LOCATIONS THAT ARE SUBJECTED TO REGULAR TRAFFIC, THEN UTILITY BOXES AND COVERS ADJACENT TO R-TYPE CURB SHALL MEET H20-44 FOR STEEL BOXES AND ANSI/SCTE 77-2007 (TIER-22) FOR FIBERGLASS POLYMER CONCRETE BOXES RATED "TRAFFIC BEARING" TYPE.
6. FOR NEW CONSTRUCTION ON RESIDENTIAL SUBDIVISION STREETS ONLY.

AGENCY APPROVED		C		L	M	N

SPECIFICATION REFERENCE	
320	AGGREGATE BASE
501	CONCRETE
502	CONCRETE STRUCTURES
707	JOINT MATERIAL
.	

UNIFORM STANDARD DRAWINGS
CLARK COUNTY AREA

SUPPLEMENTAL DRAWING

RESIDENTIAL CURB & GUTTER
R-TYPE

PRJ-75700
02/19/19

DATE 01-01-18 | DWG. NO. 217.3.S1

PARCEL MAP

BEING A SUBDIVISION OF A PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 30, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

OWNER'S CERTIFICATE & DEDICATION

WE, THE CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, A UTAH CORPORATION SOLE, DO HEREBY CERTIFY THAT WE ARE THE OWNER OF THE PARCEL OF LAND WHICH IS SHOWN HEREON, DO HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS PARCEL MAP, HAVE CAUSED THE LAND TO BE SURVEYED AND PLATTED INTO PARCELS AND DO HEREBY OFFER AND DEDICATE TO THE CITY OF LAS VEGAS ALL THE STREETS, AS INDICATED AND OUTLINED HEREON, FOR THE USE OF THE PUBLIC.

FURTHER, THE UNDERSIGNED OWNER HEREBY GRANTS AND CONVEYS TO THE CITY OF LAS VEGAS AND TO ITS SUCCESSORS AND ASSIGNS A FIVE-FOOT WIDE EASEMENT ADJACENT TO ALL PROPERTY LINES WHERE LOTS OR COMMON AREAS ABUT PUBLIC STREETS FOR PURPOSES OF PLACING PUBLIC FIRE HYDRANTS, PUBLIC STREET LIGHTS, TRAFFIC SIGNALS, CONDUITS AND APPURTENANCES, AND AN ADDITIONAL EASEMENT OF UP TO TWO FEET IN RADIUS FROM EACH FIRE HYDRANT, STREETLIGHT, TRAFFIC SIGNAL, CONDUIT AND APPURTENANCE, TO EXTEND BEYOND THE FIVE-FOOT EASEMENT IF NECESSARY, TOGETHER WITH THE RIGHT OF INGRESS TO AND EGRESS FROM THESE EASEMENTS.

THE CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, A UTAH CORPORATION SOLE

BY: Terry F. Rudd 8-9-12
AUTHORIZED AGENT DATE
TERRY F. RUDD

ACKNOWLEDGMENT

STATE OF ~~NEVADA~~ UTAH
COUNTY OF ~~CLARK~~ SALT LAKE

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 9th DAY OF August, 2012, BY: Terry F. Rudd AS AUTHORIZED AGENT FOR THE CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, A UTAH CORPORATION SOLE.

Kim D. Wood
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE
MY APPOINTMENT EXPIRES: 11/18/2014
603203

KIM D. WOOD
Notary Public - State of Utah
My Comm. Exp. 11/18/2014
Commission # 603203

SURVEYOR'S CERTIFICATE

I, R. GUY DOTY, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF NEVADA, CERTIFY THAT:

1. THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION AT THE INSTANCE OF: THE CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINT, A UTAH CORPORATION SOLE
2. THE LANDS SURVEYED LIE WITHIN THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION SECTION 30, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, AND THE SURVEY WAS COMPLETED ON JULY 20, 2012.
3. THIS PLAT COMPLIES WITH THE APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THE GOVERNING BODY GAVE ITS FINAL APPROVAL.
4. THE MONUMENTS DEPICTED ON THE PLAT WILL BE OF THE CHARACTER SHOWN, OCCUPY THE POSITIONS INDICATED BY JULY 20, 2013 ~~AND AN APPROPRIATE FINANCIAL GUARANTEE WILL BE POSTED WITH THE GOVERNING BODY BEFORE RECORDATION TO ENSURE THE INSTALLATION OF THE MONUMENTS.~~

R. GUY DOTY
PROFESSIONAL LAND SURVEYOR
NEVADA CERTIFICATE NO. 7635
EXPIRES DECEMBER 31, 2012

R. GUY DOTY
Certificate No. 7635
STATE OF NEVADA

7-20-12

LEGAL DESCRIPTION (PER DEED, OR:312:252690)

COMMENCING AT THE WEST QUARTER CORNER, SECTION 30, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B. & M., CITY OF LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA; THENCE NORTH 88°38'57" EAST ALONG THE EAST-WEST CENTER SECTION LINE OF SAID SECTION 30 A DISTANCE OF 1327.57 FEET TO A POINT, SAID POINT BEING THE NORTHEAST CORNER OF GOVERNMENT LOT 3 THENCE SOUTH 00°29'32" EAST ALONG THE EAST LINE OF SAID GOVERNMENT LOT 3 A DISTANCE OF 686.03 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°25'45" EAST A DISTANCE OF 331.00 FEET TO A POINT; THENCE SOUTH 00°29'32" EAST A DISTANCE OF 652.00 FEET TO A POINT; THENCE SOUTH 89°25'45" WEST A DISTANCE OF 331.00 FEET TO A POINT, SAID POINT BEING THE SOUTHEAST CORNER OF GOVERNMENT LOT 3; THENCE NORTH 0°29'32" WEST ALONG THE EAST LINE OF GOVERNMENT LOT 3 A DISTANCE OF 652.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 4.95± ACRES.

BASIS OF BEARINGS

SOUTH 89°25'35" WEST, BEING THE BEARING OF THE SOUTH LINE OF THE NORTH HALF (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 30, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA, AS DELINEATED BY THAT RECORD OF SURVEYS ON FILE IN 22, PAGE 45 OF SURVEYS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA.

CERTIFICATE OF DIRECTOR OF PLANNING APPROVAL

I CERTIFY THAT THIS PARCEL MAP WAS APPROVED AND THE PARCELS HEREIN WERE ACCEPTED FOR DEDICATION BY THE DIRECTOR OF PLANNING ON THE 6TH DAY OF SEPTEMBER 2012.

FLINN FAGG, A.I.C.P. 9/6/12
DIRECTOR OF PLANNING APPROVAL DATE
CITY OF LAS VEGAS, NEVADA

CERTIFICATE OF CITY SURVEYOR

I, ALAN R. RIEKKI, CITY SURVEYOR FOR THE CITY OF LAS VEGAS, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE PARCEL MAP SHOWN HEREON, AND AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT. ~~THE MONUMENTS HAVE NOT BEEN SET, BUT A PROPER PERFORMANCE BOND HAS BEEN DEPOSITED TO GUARANTEE THEIR SETTING ON OR BEFORE~~

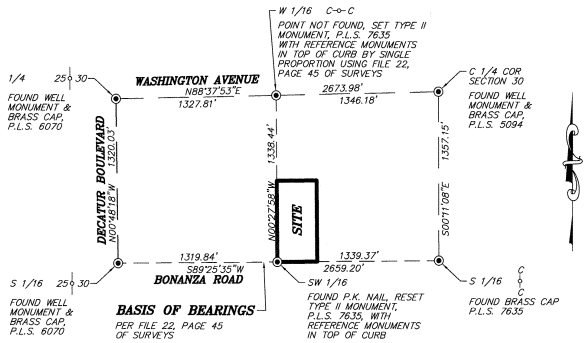
THE 24TH DAY OF September 2012.

For Hoechmand JahanPour-Burke PLS 13929
ALAN R. RIEKKI DATE 9/24/2012
CITY OF LAS VEGAS SURVEYOR
NEVADA CERTIFICATE NO. 12469

CITY OF LAS VEGAS
ALAN R. RIEKKI
Nevada Certificate No. 12469

NOTE

ANY SUBSEQUENT CHANGES TO THIS MAP SHOULD BE EXAMINED AND MAY BE DETERMINED BY REFERENCE TO THE COUNTY RECORDER'S CUMULATIVE MAP INDEX. N.R.S. 278.5695.



SURVEY ANALYSIS

SCALE: 1" = 500'
0 500 1000

IN COOPERATION WITH:
INTEGRITY ENGINEERING
4588 Coachman Circle
Las Vegas, NV 89119
Phone: 702-456-4664
Fax: 702-798-4455

SHEET 1 OF 2

11013

PMP-43732

PARCEL MAP
FOR
THE CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

A PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 30, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

PRELIMINARY

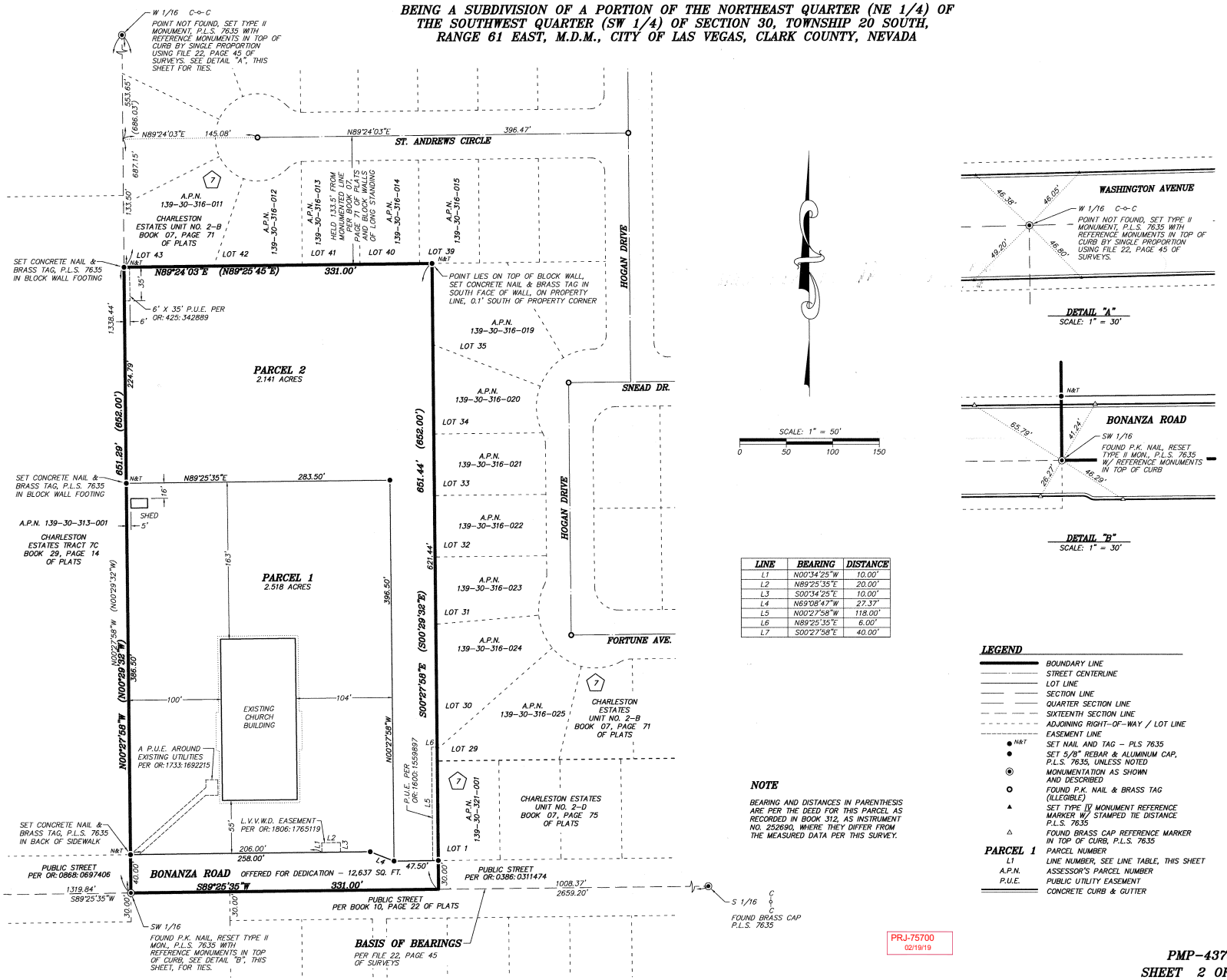
RGD SURVEYING LLC
P. O. Box 148 Logandale, NV 89021
Tele: Ofc: 397-8250 Fax: 397-8257 Mobile: 429-5224

INSTRUMENT NO. 027731
FILED AT THE REQUEST OF
RGD Surveying LLC
DATE 09/27/2012 AT 15:39
FILE 118 PAGE 61
OF PARCEL MAPS
OFFICIAL RECORDS BOOK
NO. 20120927
CLARK COUNTY, NEVADA RECORDS
DEBBIE CONWAY, RECORDER
FEE $34.00 DEPUTY MGM

FILE 118 PG 61

PARCEL MAP

BEING A SUBDIVISION OF A PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 30, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA



LINE	BEARING	DISTANCE
L1	N00°34'25"W	10.00'
L2	N89°25'35"E	20.00'
L3	S00°34'25"E	10.00'
L4	N69°08'47"W	27.37'
L5	N00°27'58"W	118.00'
L6	N89°25'35"E	6.00'
L7	S00°27'58"E	40.00'

NOTE

BEARING AND DISTANCES IN PARENTHESIS ARE PER THE DEED FOR THIS PARCEL AS RECORDED IN BOOK 312, AS INSTRUMENT NO. 252690, WHERE THEY DIFFER FROM THE MEASURED DATA PER THIS SURVEY.

LEGEND

- BOUNDARY LINE
- STREET CENTERLINE
- LOT LINE
- SECTION LINE
- QUARTER SECTION LINE
- SIXTEENTH SECTION LINE
- ADJOINING RIGHT-OF-WAY / LOT LINE
- EASEMENT LINE
- ● N&T — SET NAIL AND TAG – PLS 7635
- ● — SET 5/8" REBAR & ALUMINUM CAP, P.L.S. 7635, UNLESS NOTED
- ◉ — MONUMENTATION AS SHOWN AND DESCRIBED
- ○ — FOUND P.K. NAIL & BRASS TAG (ILLEGIBLE)
- ▲ — SET TYPE IV MONUMENT REFERENCE MARKER W/ STAMPED TIE DISTANCE P.L.S. 7635
- △ — FOUND BRASS CAP REFERENCE MARKER IN TOP OF CURB, P.L.S. 7635
- PARCEL 1 — PARCEL NUMBER
- L1 — LINE NUMBER, SEE LINE TABLE, THIS SHEET
- A.P.N. — ASSESSOR'S PARCEL NUMBER
- P.U.E. — PUBLIC UTILITY EASEMENT
- CONCRETE CURB & GUTTER

PRJ-75700
02/19/19

11013

PMP-43732
SHEET 2 OF 2

FILE 118 PG 61

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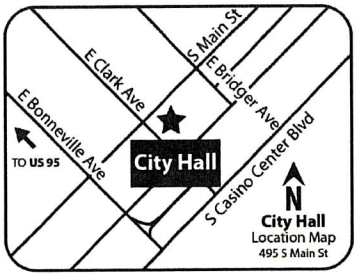

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75819 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930316022
JONES KIMBERLY
619 HOGAN DR
LAS VEGAS NV 89107

97 BRDFNP1 89107

City of Las Vegas
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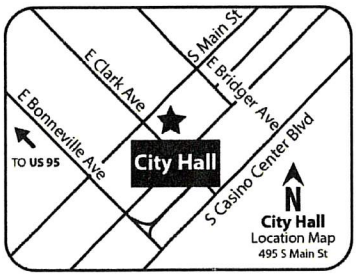

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75819 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930316013
NAPOLEON JOHN J SR & DOLORES
4417 ST ANDREWS CIR
LAS VEGAS NV 89107-2075

97 BRDFNP1 89107

City of Las Vegas
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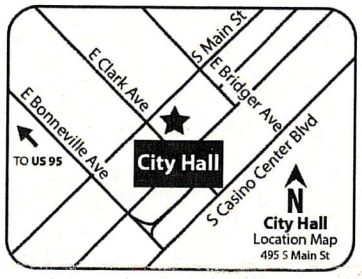

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75819 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930311006
FLECKENSTEIN ALICE A & LISA L
729 SPYGLASS LN
LAS VEGAS NV 89107-2051

97 BRDFNP1 89107

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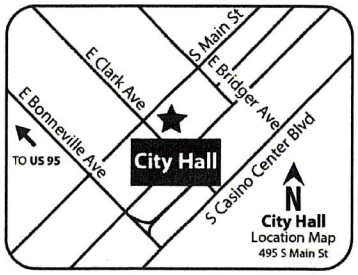

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☐ I SUPPORT this Request ☐ I OPPOSE this Request

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VAR-75819 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411002
BUFALINO CHARLES J & KAROL A
405 HORN ST
LAS VEGAS NV 89107-2121

97 BRDFNP1 89107

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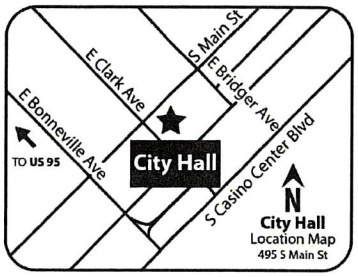

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-75819 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411003
ANKENMAN CHARLES H & DORIS
401 HORN ST
LAS VEGAS NV 89107-2121

97 BRDFNP1 89107

City of Las Vegas
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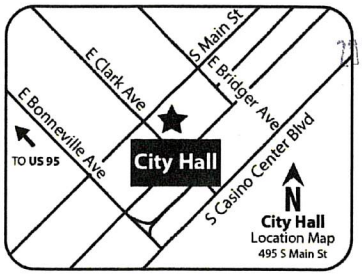

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-75819 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411001
CHURCHILL FAMILY TRUST
CHURCHILL CHARLES E & JANET TRS
409 HORN ST
LAS VEGAS NV 89107-2121

97 BRDFNP1 89107

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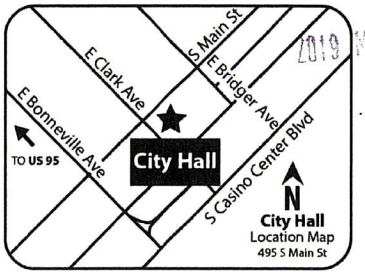

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-75819 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411029
RIGGS WILLIAM V & MARY LYNN
404 HORN ST
LAS VEGAS NV 89107-2118

97 BRDFNP1 89107

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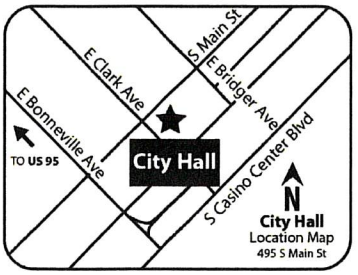

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

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VAR-75819 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411028
WOLFRAM MARILOU
400 HORN ST
LAS VEGAS NV 89107

97 BRDFNP1 89107

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-75819 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930410032
CROPPER ANN K & DARYL M REV TR
CROPPER ANN K & DARYL M TRS
413 HORN ST
LAS VEGAS NV 89107-2121

97 BRDFNP1 89107

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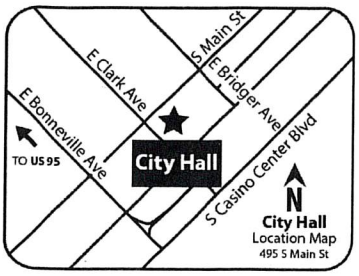

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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VAR-75819 and VAR-75820 [PRJ-75700]
Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930306003
S K USA L L C
6725 DUNRAVEN AVE
LAS VEGAS NV 89139

113 BRDGNP1 89139

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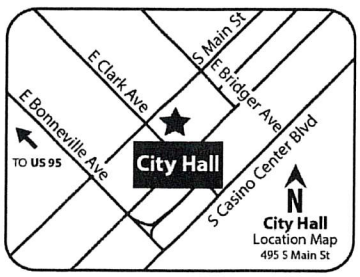

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-75819 and VAR-75820 [PRJ-75700]
Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930410011
SCHEELER IRREVOCABLE TRUST
BOTT MARION J TRS
4317 W BONANZA RD
LAS VEGAS NV 89107-2107

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-75819 and VAR-75820 [PRJ-75700]

Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930411001
CHURCHILL FAMILY TRUST
CHURCHILL CHARLES E & JANET TRS
409 HORN ST
LAS VEGAS NV 89107-2121

97 BRDGNP1 89107

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Department of Planning
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VAR-75819 and VAR-75820 [PRJ-75700]
Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930411002
BUFALINO CHARLES J & KAROL A
405 HORN ST
LAS VEGAS NV 89107-2121

97 BRDGNP1 89107

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Department of Planning
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Las Vegas, Nevada 89106

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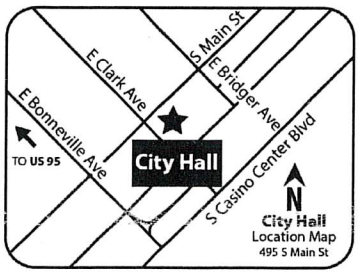

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City of Las Vegas

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-75819 and VAR-75820 [PRJ-75700]
Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930410032
CROPPER ANN K & DARYL M REV TR
CROPPER ANN K & DARYL M TRS
413 HORN ST
LAS VEGAS NV 89107-2121

97 BRDGNP1 89107

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Department of Planning
Development Services Center
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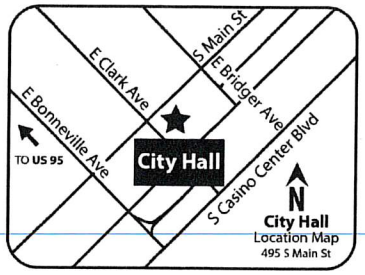

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City of Las Vegas

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75819 and VAR-75820 [PRJ-75700]

Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930411003
ANKENMAN CHARLES H & DORIS
401 HORN ST
LAS VEGAS NV 89107-2121

97 BRDGNP1 89107

City of Las Vegas
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Las Vegas, Nevada 89101

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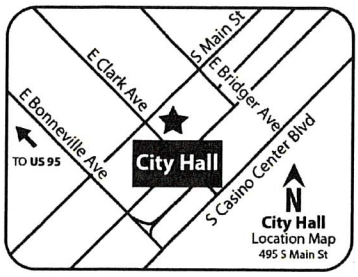

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
VAR-75819 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930410011
SCHEELER IRREVOCABLE TRUST
BOTT MARION J TRS
4317 W BONANZA RD
LAS VEGAS NV 89107-2107

97 BRDFNP1 89107

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
VAR-75819 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411021
RUSINSKI GLENN E & WENDY L
212 MOLLER CIR
LAS VEGAS NV 89107-2128

Submitted after final agenda
Item 94

97 BRDFNP1 89107

5

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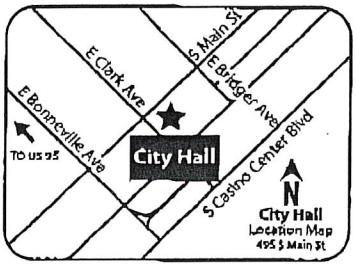

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-75820 [PRJ-75700]
City Council Meeting of **05/15/19**

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PRJ-75700
13930316035
ANDERSON DAGMAR M
712 HOGAN DR
LAS VEGAS NV 89107-2084

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-75819 [PRJ-75700]
City Council Meeting of **05/15/19**

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PRJ-75700
13930316035
ANDERSON DAGMAR M
712 HOGAN DR
LAS VEGAS NV 89107-2084

Submitted after final agenda
Item 94

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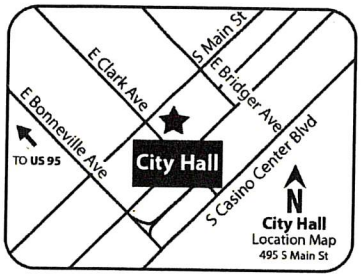

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75819 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930412025
FLEMING JOSEPH L & BARBARA E
408 ESTELLA AVE
LAS VEGAS NV 89107-2105

97 BRDFNP1 89107

City of Las Vegas
Office of The City Clerk
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Las Vegas, Nevada 89101

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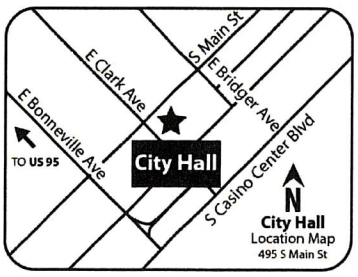

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75819 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930412005
BINGHAM FRANK & F PAULINE
NORTON MARILYN
412 ESTELLA AVE
LAS VEGAS NV 89107

Submitted after final agenda
Item 94

97 BRDFNP1 89107

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
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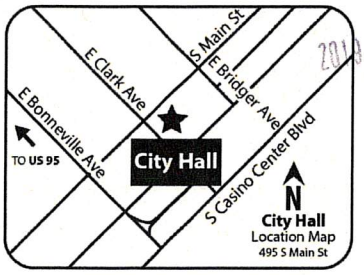

PRJ-75700
13930412011
BRAVARD CHARLES & LEONE
201 MOLLER CIR
LAS VEGAS NV 89107

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-75819 [PRJ-75700]
City Council Meeting of **05/15/19**

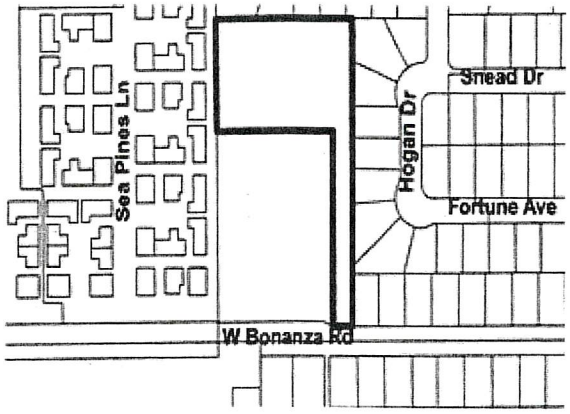
97 BRDFNP1 89107

Application Information

VAR-75819 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Variance TO ALLOW RESIDENTIAL BUILDINGS TO HAVE A HEIGHT OF THREE STORIES WHERE TWO STORIES IS THE MAXIMUM ALLOWED ON LOT ONE OF A TWO LOT PROPOSED RESIDENTIAL SUBDIVISION on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

↑ congestion, ↑ injury, inhibits pedestrians right of way.

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	05/15/19
Location:	City Council Chambers 495 South Main St, 2nd Fl. Las Vegas, Nevada
Not to be heard before:	11:00AM

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 2nd Floor, City Hall, 495 South Main Street, Las Vegas, Nevada, 89101. For further information, go to www.lasvegasnevada.gov or call (702) 229-6311 (TTY 7-1-1). **Note that postcards and comments received after an agenda posts will not be reflected online until after the meeting; however, the comments are made available to the members of the governing body for their consideration prior to the meeting.**

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Las Vegas, Nevada 89101

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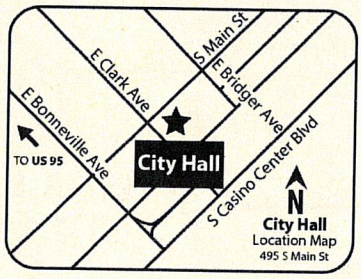

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75819 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930412026
BINGHAM 1994 TRUST
BINGHAM FRANK E & F P CO-TRS
412 ESTELLA AVE
LAS VEGAS NV 89107-2105

97 BRDFNP1 89107

City of Las Vegas
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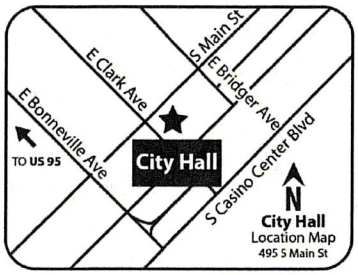

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75819 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930311027
RHODES MICHAEL LEE
3714 STARGAZER AVE
SAN PEDRO CA 90732

2 BRDFNP1 90732

Submitted after final agenda
Item 94

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Las Vegas, Nevada 89101

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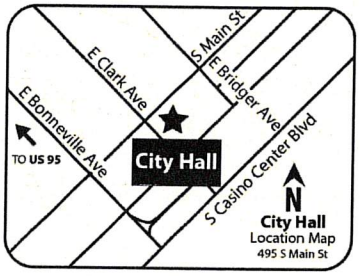

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75819 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930301006
DANA DEVELOPMENT L L C
NATIONAL FACILITIES CORP
660 N DECATUR BLVD
LAS VEGAS NV 89107-1918

97 BRDFNP1 89107

Submitted after final agenda
Item 94

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

LAS VEGAS
NV 890
07 MAY '19
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2019 MAY 13 P 4:30

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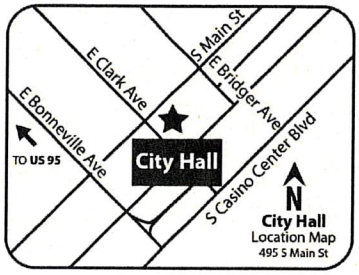

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

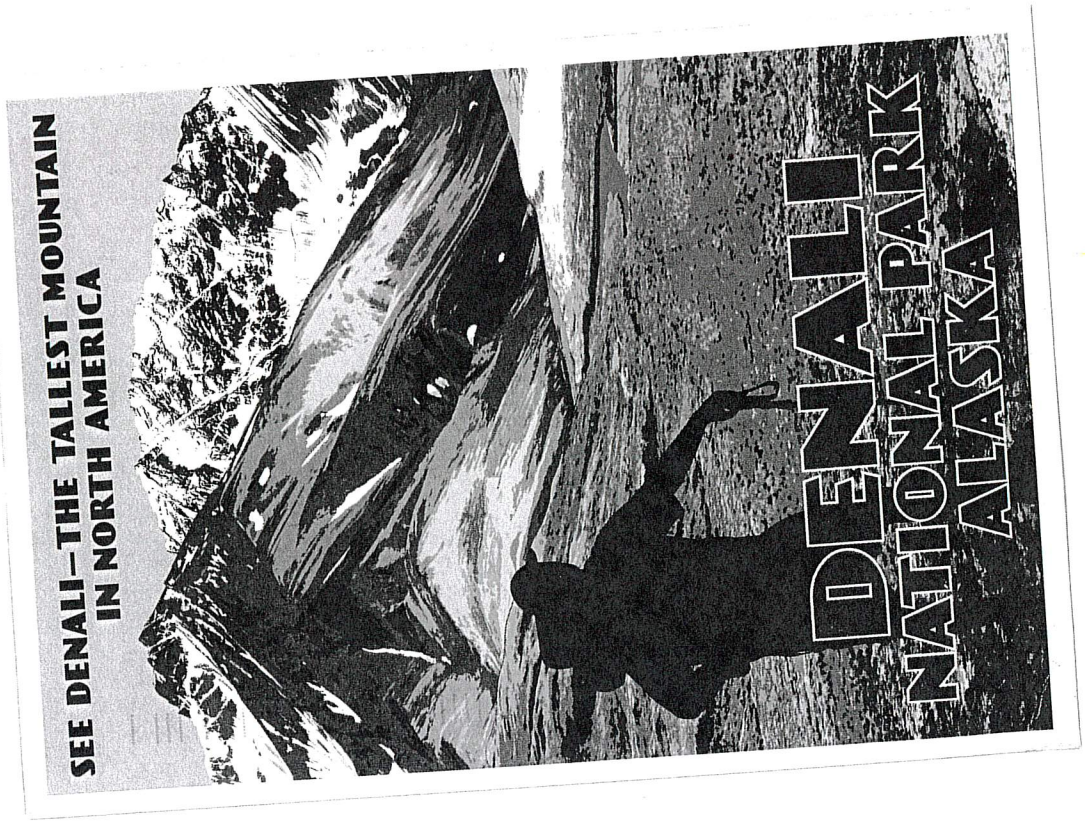
Please use available blank space on card for your comments.

VAR-75819 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930318019
GROPPENBACHER JONATHAN & SHANNA
816 FAIRWAY DR
LAS VEGAS NV 89107

97 BRDFNP1 89107

Submitted after final agenda
Item 94



Please deny the applications by SK USA, LLC for several variances on or for APN 139-30-306-003. I own a house at 609 Sea Pines Ln., close to the site of the proposed project. I do not want a higher density residential unit in my neighborhood. Thank you, Dikka M. Rivard

LAS VEGAS NV 890
08 MAY 2019
SIERRA CLUB
USA FOREVER
2019 MAY 13 P 12:
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City Clerk 2nd floor
City Hall
495 S. Main St.
Las Vegas, NV 89101

Submitted after final agenda
Items 94-98

LARRY TINDALL
RESIDENTIAL DESIGNER
3047 E. WARM SPRINGS SUITE 300
LAS VEGAS, NEVADA 89120
OFFICE (702) 597.3097
FAX (702) 896.5302

MONTAGE ESTATES
PLAN #3

REVISION	DATE	NOTES

ELEVATIONS

JOB NO.
FILE NAME
DATE
UPDATE:

A041

KEYNOTES:

1. STUCCO EXPANSION JOINTS
2. PATTERNED LIGHT STUCCO SYSTEM, SEE LA2000 1 OWNER FOR PATTERN AND COLOR.
3. LIGHT STUCCO SYSTEM OVER ANY HARDIBOARD OR FOAM OR WOOD FRAME.
4. CEILING LINE.

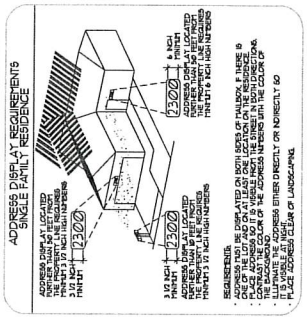
NOTES:

1. PROVIDE LOW 'E' GLAZING DOORS/WINDOWS, (TYPICAL) VERIFY WITH 2007 ECC ANALYSIS REPORT.
2. DETAILS # WINDOW & DOORS REFER TO BLOCKING AROUND OPENINGS, DETAILS & NOTES ARE FOR GENERAL REFERENCE. THEY ARE DETAILS & TO B, 1, 1 & ON SHEET ADOBE.
3. POP-OUTS SHOWN AROUND WINDOWS TO BE INSTALLED ON ALL WINDOWS THAT DON'T HAVE SHUTTERS.
4. ALL ROOF VENTS, PIPES, OTHER ROOF PENETRATIONS AND FLASHINGS SHALL BE PAINTED TO MATCH ROOF COLOR. THEY HAVE BEEN CONFIGURED TO HAVE A MINIMAL VISUAL IMPACT AS SEEN FROM THE STREET. ROOF PENETRATIONS (EXCEPT ANY SOLAR PANELS) ARE NOT TO BE LOCATED ON THE SIDE FACING THE STREET. ALL PENETRATIONS SHALL BE PAINTED WITH THE ROOF DESIGN AND COLOR, TO THE MAXIMUM PRACTICAL EXTENT.

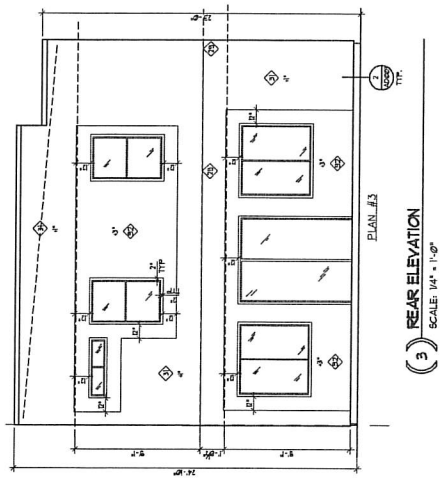
SYMBOLS:

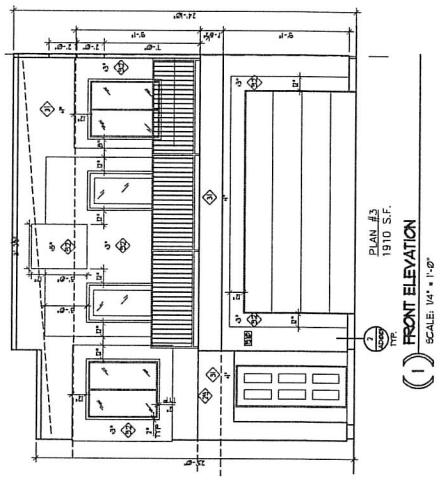
- COACH LIGHTING, SEE ELECTRICAL PLAN
- TYPICAL LOU VILLAGE ADDRESS LIGHT - CONTRACTOR SHALL VERIFY HEIGHT WITH FIRE DEPARTMENT AND LOCAL ORDINANCES. SEE ADDRESS DISPLAY REQUIREMENTS.
- ELECTRICAL PANEL, SEE ELECTRICAL & UTILITY PLANS FOR SIZE, NOTES, AND LOCATION.
- GAS METER, SEE PLUMBING & UTILITY PLANS FOR SIZE, NOTES, AND LOCATION.
- FLOOD LIGHT, SEE ELECTRICAL PLAN
- PHONE, SEE ELECTRICAL BOX

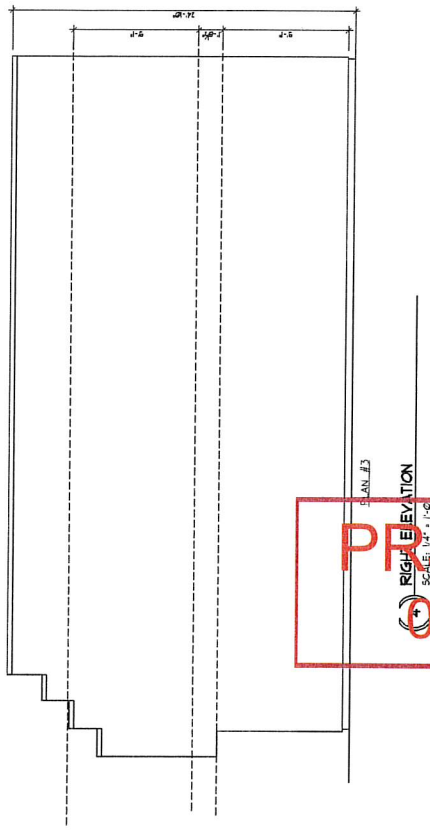
ADDRESS DISPLAY REQUIREMENTS SINGLE FAMILY RESIDENCE

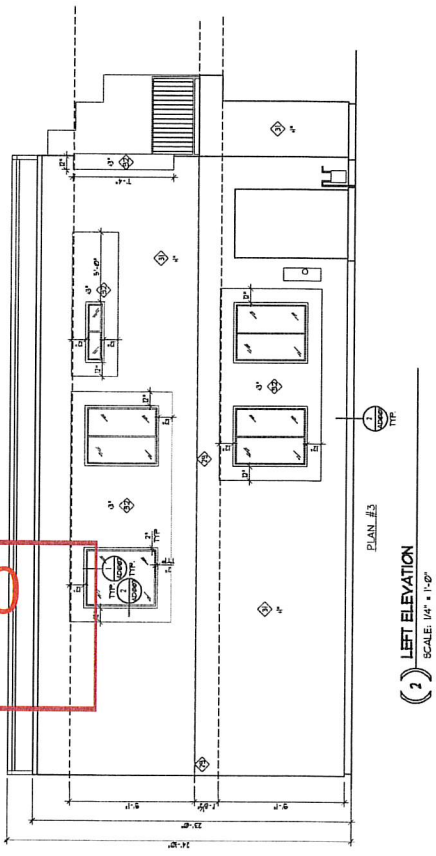


REQUIREMENTS:
- ADDRESS PLEASE BE DISPLAYED ON BOTH SIDES OF THE MAILBOX IF THERE IS CONFUSION AS TO WHICH HOUSE THE MAILBOX BELONGS TO.
- PLACE ADDRESS SO IT IS VISIBLE FROM THE STREET IN BOTH DIRECTIONS.
- CONTRAST COLOR OF THE ADDRESS NUMBERS WITH THE COLOR OF THE BACKGROUND.
- PLACE NUMBERS ADDRESS EITHER DIRECTLY OR INDIRECTLY SO IT IS VISIBLE AT NIGHT.
- PLACE ADDRESS CLEAR OF LANDSCAPING.









PRJ-75700
07/16/19

Submitted after final agenda
Item 78-82

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: SK USA, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
VAR-75819	Staff recommends DENIAL, if approved subject to conditions:	
VAR-75820	Staff recommends DENIAL, if approved subject to conditions:	
VAR-75821	Staff recommends DENIAL, if approved subject to conditions:	
SDR-75822	Staff recommends DENIAL, if approved subject to conditions:	VAR-75819 VAR-75820 VAR-75821
TMP-75823	Staff recommends DENIAL, if approved subject to conditions:	VAR-75819 VAR-75820 VAR-75821 SDR-75822

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED
403 - VAR-75819 and VAR-75820 (By City Clerk)
403 - VAR-75821 and SDR-75822 (By City Clerk)
403 - TMP-75823 (By City Clerk)

PROTESTS
15 - VAR-75819 and VAR-75820
15 - VAR-75821 and SDR-75822
15 - TMP-75823

APPROVALS
3 - VAR-75819 and VAR-75820
3 - VAR-75821 and SDR-75822
3 - TMP-75823

JB
Submitted after final agenda
7/16/2019 Item 78-82.

** CONDITIONS **

VAR-75821 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-75822) and Tentative Map (TMP-75823) shall be required, if approved.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

JB

SDR-75822 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-75821) and Tentative Map (TMP-75823) shall be required, if approved.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All development shall be in conformance with the site plan and landscape plan date stamped 05/07/19; and building elevations date stamped 05/07/19 and 07/1619, except as amended by conditions herein.

4. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

7. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

8. Prior to the submittal of a building permit application, the applicant shall meet with Department of Planning staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

9. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

JB

Public Works

10. Private streets must be granted and labeled on the Final Map for this site as Public Utility Easements (P.U.E.), Public Sewer Easements, and Public Drainage Easements to be privately maintained by the Homeowner's Association.

11. Correct all American's with Disabilities Act (ADA) deficiencies, if any, on the sidewalk along Bonanza Road adjacent to this site in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

12. Prior to the submittal of any construction drawings, meet with City of Las Vegas Fire Engineering Department, the Traffic Engineering Department and the Sanitary Sewer Section of the Department of Public Works to discuss the final location of the proposed gate.

13. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

14. Submit a License Agreement for landscaping and private improvements in the Bonanza Road public right-of-way, if any, adjacent to this site prior to this issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the License Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's License Agreement. The installation and maintenance of all private improvements in the public right of way shall be the responsibility of the adjacent property owner(s) and shall be transferred with the sale of the property for the entire term of the License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Department of Building and Safety (702-229-4836).

15. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

JB

TMP-75822 CONDITIONS

Planning

1. Approval of the Tentative Map shall be for no more than four (4) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within four (4) years of the approval of the Tentative Map, this action is void.

2. Approval of Variance (VAR-75821) and Site Development Plan Review (SDR-75822) shall be required, if approved.

3. Street names must be provided in accordance with the City's Street Naming Regulations.

4. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.

6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

JB

Public Works

7. Private streets must be granted and labeled on the Final Map for this site as Public Utility Easements (P.U.E.), Public Sewer Easements, and Public Drainage Easements to be privately maintained by the Homeowner's Association.

8. Correct all American's with Disabilities Act (ADA) deficiencies, if any, on the sidewalk along Bonanza Road adjacent to this site in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

9. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

10. Submit a License Agreement for landscaping and private improvements in the Bonanza Road public right-of-way, if any, adjacent to this site prior to this issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the License Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's License Agreement. The installation and maintenance of all private improvements in the public right of way shall be the responsibility of the adjacent property owner(s) and shall be transferred with the sale of the property for the entire term of the License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Department of Building and Safety (702-229-4836).

11. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

JB

12. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, gating, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

13. Comply with all applicable conditions of approval for Site Development Plan Review SDR-75822 and any other site related actions.

JB

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is proposing to construct an 18-unit Single-Family, Attached [Duplex] residential subdivision on a 2.14-acre undeveloped property located on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard. In addition to the standard Tentative Map (TMP-75823) and Site Development Plan Review (SDR-75822), the applicant is requesting three additional Variances (VAR-75819, VAR-75820 and VAR-75821).

ISSUES

- The Single Family, Attached (Duplex) use is permitted in the R-2 (Medium-Low Density Residential) zoning district.
- A Variance (VAR-75819) of Title 19.06.100 was originally requested to allow residential buildings to have a height of three stories where two stories is the maximum allowed on lot one of a three lot proposed residential subdivision. Staff does not support this request.
    - On May 7, 2019 the applicant submitted revised drawings which reduced the height of the proposed residential buildings to two stories in height, which complies with Title 19.06.100 development standards; therefore, Variance (VAR-75819) is no longer required.
- A Variance (VAR-75820) of Title 19.06.100 was originally requested to allow residential buildings to have a height of three stories where two stories is the maximum allowed on lot two of a three lot proposed residential subdivision. Staff does not support this request.
    - On May 7, 2019 the applicant submitted revised drawings which reduced the height of the proposed residential buildings to two stories in height, which complies with Title 19.06.100 development standards; therefore, Variance (VAR-75820) is no longer required.
- A Variance (VAR-75821) of Title 19.06.100 is required to allow a 47-foot wide access control gate where 50 feet is required; to allow sidewalks on one side where sidewalks on both sides are required and to allow a Connectivity Ratio of 1.00 where 1.30 is required. Staff does not support this request.
- On July 16, 2019 the applicant submitted a revised building elevation for Unit Type #3, which was added after posting of the agenda.

JB

ANALYSIS

The subject site is located in the Southeast Sector of the General Plan and has a current land use designation of ML (Medium Low Density Residential) and zoning designation of R-2 (Medium-Low Density Residential) on a 2.14-acre undeveloped property located on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard. The proposed Single Family, Attached [Duplex] use is permitted in the R-2 (Medium-Low Density Residential) zoning district.

The applicant has proposed to develop the subject 2.14 acre site into an 18-unit Single-Family, Attached [Duplex] development containing, which requires an associated Site Development Plan Review (SDR-75822). As proposed, the 18-unit development will have a density of 8.41 units per acre, which complies with the 8.49 units per acre maximum allowed by the ML (Medium Low Density Residential) land use designation. The applicant has proposed an associated Tentative Map (TMP-75823) for the proposed development which will subdivide the site into three lots. Lot 1 is designated as 0.688 acres and will be developed with 10 residential units. Lot 2 is designated as 0.562 acres and will be developed with eight residential units. Lot 3 is designated as 0.889 acres and will be developed as a 47-foot wide gated private street. Furthermore, the subject site complies with Title 19.06.100 development standards, which allows 6-12 dwelling units per lot.

The submitted drawings indicate that the subject site will be comprised of three residential unit types, which are designated as Type #1, #2 and #3. The proposed development will provide eight Type #1 and Type #2 residential dwellings and ten Type #3 residential dwellings. Type #1 and #2 were originally proposed to be three stories and 35 feet in height measured to the flat roof, which does not meet Title 19.06.100 development standards, which limits building height to two stories or 35 feet. However, on May 7, 2019 the applicant submitted revised building elevation drawings which reduced the height of the proposed residential buildings to two stories and approximately 25 feet in height, which complies with Title 19.06.100 development standards. Type #3 is proposed to be two stories and approximately 25 feet in height measured to the flat roof, which does meet Title 19.06.100 development standards. The applicant originally requested two Variances (VAR-75819 and VAR-75820) to allow residential buildings to have a height of three stories where two stories is the maximum allowed on Lot #1 and Lot #2 of the proposed residential subdivision, however Variances (VAR-75819 and VAR-75820) are no longer required. The submitted elevations indicate the building facades will have a combination of "Cobblestone Path," "Terracotta Sand," "Barnwood Gray," "Mink," and "Muslin" smooth stucco with black iron railings.

JB

Access to the site is provided from Bonanza Road, which is identified as a 60-70-foot wide Minor Collector via a proposed 47.5-foot wide private street with a gated entrance. Pursuant to Title 19.04.070(B), "Where access control gates are to be used in conjunction with private streets, the principal vehicular entrance gate must have a minimum width of 50 feet." The applicant has requested a Variance (VAR-75821) to allow the proposed 47.5-foot wide private street with access control gate where 50 feet is required. Furthermore, the Department of Public Works has indicated that the location of the proposed gate for this site conflicts with Traffic Engineering, Fire Department and Sanitary Sewer guidelines, which will require relocation of the proposed sewer line.

Pursuant to Title 19.04.230 Private Gated Community Streets development standards, private streets are required to comply with three available street cross sections, which are 24 feet, 28 feet and 33 feet wide, respectively, with a sidewalk on one side. As the proposed 47.5-foot wide private street with sidewalk does not comply with the three available cross sections, the proposed private street must then comply with the minimum construction standards for public streets. Pursuant to Title 19.04.220 47-foot Residential Street (Narrow Lot) development standards the proposed private street must provide a five-foot sidewalk on both sides of the street. Since the proposed private street does not comply with this standard, the applicant has requested a Variance (VAR-75821) to allow sidewalks on one side where sidewalks on both sides are required.

Also, pursuant to Title 19.04.040 development within the R-2 (Medium-Low Density Residential) zoning district all residential development is subject to the minimum 1.30 Connectivity Ratio (links/nodes). As the proposed development consists of one link and one node, the applicant has requested a Variance (VAR-75821) to allow a Connectivity Ratio of 1.00 where 1.30 is the minimum required for the proposed development.

The on-site parking area is located within the interior of the subject site. The site will provide driveways for each unit with space for two unimpeded vehicles, which complies with the 36 parking spaces required by Title 19.06.100. Pursuant to Title 19.06.100 Table 6, "for any use approved for this district other than Single Family Residential (Attached or Detached) the on-site parking requirements shall be as outlined in LVMC 19.12.060," which requires additional guest parking. However, as the subject site is proposed to be a 18-unit Single Family, Attached [Duplex] development, Title 19.06.100 Table 6 requires a minimum of two unimpeded spaces per dwelling unit.

Pursuant to Title 19.06.100 Table 5, a six-foot landscape buffer is required adjacent to the right-of-way for residential developments with five or more lots. As the proposed, Tentative Map (TMP-75821) only proposes to develop three lots, no perimeter landscaping is required for the proposed development. However, the applicant has submitted a proposed landscape plan for the development. The submitted landscape plan indicates a combination of 24-inch box "Chaste", "Italian Stone Pine", "Italian Cypress" and "Windmill Palm" trees and five-gallon "Compact Desert Ranger", "Feathery Cassia", "Desert Ruellia" and "Desert Bluestar" shrubs will be planted throughout the site.

JB

Staff notes that the submitted cross sections show elevations indicating a relatively flat area. The site is surrounded by walls and no new walls appear to be proposed. Although the subject site is a flag-shaped lot, staff finds that the subject sites provides an adequate buildable area, which would allow compliance with Title 19 development standards. As such, staff notes the subject site does not provide a significant hardship to warrant approval the requested Variances, as the development could be redesigned to provide further compliance with Title 19. As the proposed development is inconsistent with Title 19 development standards pertaining to building height and 19.04 Complete Street development standards, staff recommends denial of the three Variances, Site Development Plan Review and associated Tentative Map request.

FINDINGS (VAR-75821)

In accordance with the provisions of Title 19.16.140(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

> "Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by requesting to develop a private street which does not meet Title 19.04 Complete Street development standards. Alternative street design would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

JB

FINDINGS (SDR-75822)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

   The proposed 18-unit Single Family, Attached [Duplex] development is not compatible with the adjacent single-family residential and commercial development in the area, as evidenced by the required Variances to allow deviations from Title 19.04 Complete Street and Title 19.06.100 building height development standards.

2. **The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;**

   The proposed 18-unit Single Family, Attached [Duplex] development does not comply with established and Title 19.04 Complete Street and Title 19.06.100 building height development standards as evidenced by the requested Variances.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

   Primary site access is from Bonanza Road, which is classified as a 60 to 70-foot Minor Collector Street in Title 13, which provides adequate capacity to serve the proposed use. Access to the site is provided from a proposed 47.5-foot wide private street with a gated entrance. Pursuant to Title 19.04.070(B), "Where access control gates are to be used in conjunction with private streets, the principal vehicular entrance gate must have a minimum width of 50 feet. The applicant has requested a Variance (VAR-75821) to allow the proposed 47.5-foot wide private street with access control gate where 50 feet is required. Furthermore, the Department of Public Works has indicated that the location of the proposed gate for this site conflicts with Traffic Engineering, Fire Department and Sanitary Sewer guidelines, which will require relocation of the proposed sewer line.

4. **Building and landscape materials are appropriate for the area and for the City;**

   The project design and style are appropriate for the subject location and will be harmonious with buildings in the surrounding area. The submitted elevations indicate the building facades will have a combination of "Cobblestone Path", "Terracotta Sand," "Barnwood Gray," "Mink," and "Muslin" smooth stucco with black iron railings. The proposed landscape buffers will have a combination of trees and shrubs which are consistent with the Southern Nevada Regional Plant List.

JB

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

   The design characteristics of the proposed building elevations are not unsightly, undesirable, or obnoxious compatible, they are compatible with development in the surrounding area.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

   The proposed residential development will be subject to inspections in order to protect the public health, safety and general welfare by City staff.

FINDINGS (TMP-75822)

The proposed Tentative Map conforms to Nevada Revised Statutes. However, staff has determined that the Tentative Map does not conform Title 19, as evidenced by the requested Variance to allow deviations from Title 19.04 Complete Street development standards. Therefore, staff recommends denial of this application.

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc	
01/18/61	The Board of City Commissioners approved a Rezoning (Z-0061-60) from R-E (Residence Estates) to R-1 (Single Family Residential) between Bonanza Road and Washington Avenue, approximately 1,320 feet east of the centerline of Decatur Boulevard. The Planning Commission and staff recommended approval. The property was hard zoned on 07/26/61.
10/24/73	The Board of City Commissioners denied a request for Rezoning (Z-0083-73) from R-E (Residence Estates) to R-1 (Single Family Residential) on approximately 5.00 acres on the north side of Bonanza Road, approximately and Washington Avenue, approximately 1,320 feet east of Decatur Boulevard. The Planning Commission recommended approval.
09/27/12	A two-lot Parcel Map (PMP-43732) on 4.95 acres at 4500 West Bonanza Road was recorded. The zoning for this site was R-1 (Single Family Residential) at this time.

JB

Related Relevant City Actions by Planning, Fire, Bldg., etc	
11/19/14	The City Council voted to Withdraw Without Prejudice a request for a General Plan Amendment (GPA-55775) from PF (Public Facilities) to ML (Medium Low Density Residential) on 2.19 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard. The Planning Commission recommended denial; staff recommended approval.
	The City Council voted to Withdraw Without Prejudice a request for a Rezoning (ZON-55777) from R-1 (Single Family Residential) to R-3 (Medium Density Residential) on 2.19 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard. The Planning Commission recommended denial; staff recommended approval.
	The City Council voted to Withdraw Without Prejudice a request for a Site Development Plan Review (SDR-55779) for a proposed 39-unit multi-family residential development with a Waiver to allow a zero-foot perimeter landscape buffer along a portion of the west property line where six feet is required on 2.19 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard. The Planning Commission recommended denial; staff recommended approval.
09/06/17	The City Council approved a request for a General Plan Amendment (GPA-70682) from PF (Public Facilities) to ML (Medium Low Density Residential) on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard. The Planning Commission and staff recommended approval of the request.
	The City Council approved a request for a Rezoning (ZON-70683) from R-1 (Single Family Residential) to R-2 (Medium-Low Density Residential) on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard. The Planning Commission and staff recommended approval of the request.
04/09/19	The Planning Commission unanimously voted to recommend DENIAL of the following requests: • Variance (VAR-75819) TO ALLOW RESIDENTIAL BUILDINGS TO HAVE A HEIGHT OF THREE STORIES WHERE TWO STORIES IS THE MAXIMUM ALLOWED ON LOT ONE OF A TWO LOT PROPOSED RESIDENTIAL SUBDIVISION • Variance (VAR-75820) TO ALLOW RESIDENTIAL BUILDINGS TO HAVE A HEIGHT OF THREE STORIES WHERE TWO STORIES IS THE MAXIMUM ALLOWED ON LOT TWO OF A TWO LOT PROPOSED RESIDENTIAL SUBDIVISION

JB

Related Relevant City Actions by Planning, Fire, Bldg., etc	
04/09/19	• Variance (VAR-75821) TO ALLOW A 47-FOOT WIDE ACCESS CONTROL GATE WHERE 50 FEET IS REQUIRED; TO ALLOW SIDEWALKS ON ONE SIDE WHERE SIDEWALKS ON BOTH SIDES ARE REQUIRED AND TO ALLOW A CONNECTIVITY RATIO OF 1.00 WHERE 1.30 IS REQUIRED • Site Development Plan Review (SDR-75822) FOR A PROPOSED 18-UNIT RESIDENTIAL SUBDIVISION • Tentative Map (TMP-75823) FOR A THREE-LOT RESIDENTIAL SUBDIVISION on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700].
05/15/19	The City Council unanimously voted to hold the following items in ABEYANCE to the July 17, 2019 City Council Meeting in an effort to allow the applicant an opportunity to host a neighborhood meeting. • Variance (VAR-75819) TO ALLOW RESIDENTIAL BUILDINGS TO HAVE A HEIGHT OF THREE STORIES WHERE TWO STORIES IS THE MAXIMUM ALLOWED ON LOT ONE OF A TWO LOT PROPOSED RESIDENTIAL SUBDIVISION • Variance (VAR-75820) TO ALLOW RESIDENTIAL BUILDINGS TO HAVE A HEIGHT OF THREE STORIES WHERE TWO STORIES IS THE MAXIMUM ALLOWED ON LOT TWO OF A TWO LOT PROPOSED RESIDENTIAL SUBDIVISION • Variance (VAR-75821) TO ALLOW A 47-FOOT WIDE ACCESS CONTROL GATE WHERE 50 FEET IS REQUIRED; TO ALLOW SIDEWALKS ON ONE SIDE WHERE SIDEWALKS ON BOTH SIDES ARE REQUIRED AND TO ALLOW A CONNECTIVITY RATIO OF 1.00 WHERE 1.30 IS REQUIRED • Site Development Plan Review (SDR-75822) FOR A PROPOSED 18-UNIT RESIDENTIAL SUBDIVISION • Tentative Map (TMP-75823) FOR A THREE-LOT RESIDENTIAL SUBDIVISION on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700].

Most Recent Change of Ownership	
11/09/15	A deed was recorded for a change in ownership.

JB

Related Building Permits/Business Licenses
There are no related Building Permit or Business Licenses associated with the subject site.

Pre-Application Meeting	
01/30/19	A pre-application meeting was held to discuss submittal requirements for applications related to a proposed Variance, Site Development Plan Review and Tentative Map for a proposed duplex single-family residential (condominium) development.

Neighborhood Meeting	
06/17/19	A neighborhood meeting was held scheduled at the Las Vegas Golf Club at 4300 West Washington Avenue at 6:00 pm to discuss the proposed residential development on the subject site, Assessor's Parcel 139-30-306-003. The meeting was attended by one staff member; there were fifteen (15) members of the public at the meeting which raised the following concerns to the proposed development. **Issues** 1. Concerns were raised about if the zoning was being amended. a. The owner indicated that the zoning was not being amended from R-2 (Medium-Low Density Residential). 2. Concerns were raised about the overall height of the structures. Adjacent residents would prefer one-story height to match the residences to the north and east of the subject site. a. The owner indicated that the structures height had been lowered from three stories, 35 feet to two stories, 27 feet. 3. Will the proposed gate to the development have a guard or be mechanical. a. The applicant's representative indicated the gate would be mechanical. He explained that the gate has been proposed to provide additional security for the subject site and will prevent vandalism to the adjacent residential properties and subject site. 4. How will the development be screened from the surrounding homes which are primarily one story in height? a. The applicant's representative provided a residential adjacency exhibit, which exhibited view angles into the adjacent properties to the north. He indicated that the applicant intends on installing an additional six-foot screen wall with three-foot retaining wall to provide additional screening into the adjacent properties to the north. He further indicated that the wall on the east perimeter of the site could be raised to eight-feet.

JB

Neighborhood Meeting	
06/17/19	5. Concerns were raised about existing traffic in the area caused by the High School located on Bonanza Avenue. a. The applicant's representative explained the traffic studies show residential development to be one of the lowest trip generators. He further explained that he estimates the proposed development would create approximately nine additional trips during the peak two hour period during the morning and evening.

Field Check	
02/28/19	During a routine site inspection staff observed an undeveloped site free of trash and debris, with natural desert vegetation.

Details of Application Request	
Site Area	
Net Acres	2.14

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	ML (Medium Low Density Residential)	R-2 (Medium-Low Density Residential)
North	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
South	Church/House of Worship	PF (Public Facilities)	R-1 (Single Family Residential)
East	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single Family, Detached and Attached	ML (Medium Low Density Residential)	R-PD8 (Residential Planned Development – 8 Units per Acre)
	Church/House of Worship	PF (Public Facilities)	R-1 (Single Family Residential)

JB

Master and Neighborhood Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Area and Overlay Districts	***Compliance***
A-O (Airport Overlay) District (105 Feet)	Y
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.100, the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Size (Lot #1)	6,500 SF	29,993 SF	Y
Min. Lot Size (Lot #2)	6,500 SF	24,503 SF	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	5 Feet	5 Feet	Y
• Rear	20 Feet	20 Feet	Y
Min. Distance Between Buildings	10 Feet	10 Feet	Y
Max. Building Height	Two Stories or 35 Feet	Two Stories, 25.25 Feet	Y

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Bonanza Road	Minor Collector	Title 13	60-70	Y

JB

19.04.040 Connectivity			
Transportation Network Element		***# Links***	***# Nodes***
Internal Street		1	-
Intersection – Internal		-	-
Cul-de-sac Terminus		-	1
Intersection – External Street or Stub Terminus		-	-
Intersection – Stub Terminus w/ Temporary Turn Around Easements		-	-
Non-Vehicular Path - Unrestricted		-	-
Total		1.00	1.0
	Required	***Provided***	
Connectivity Ratio (Links / Nodes):	**1.30**	**1.00**	

**The applicant has requested a Variance (VAR-75821) to allow a connectivity ratio of 1.00 where 1.30 is required*

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Single-Family Residential (Duplex)	18 du	2 spaces per du	36				
TOTAL SPACES REQUIRED			36		36		Y*
Regular and Handicap Spaces Required			36	0	36	0	Y*

**Pursuant to Title 19.06.100 Table 6 "any use approved for this district other than Single Family Residential (Attached or Detached) the on-site parking requirements shall be as outlined in LVMC 19.12.060, which requires additional guest parking. However, as the subject site is proposed to be an 18-unit Single Family, Attached (Duplex) development; Title 19.06.100 Table 6 requires a minimum of two unimpeded spaces per dwelling unit.*

JB

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Submitted at City Council
Date 7/17/19 Item 78-82
By: KIMBERLY JONES

Kimberley Jones
619 Hogan Dr
202.351.3939

Rodolfo Almanza
611 Hogan Dr Las Vegas
NV 89107

ORCHID JENNINGS
615 HOGAN DR
LV, NV 89107

Fernando Mendizabal
627 Hogan dr 89107
Fernando Mendizabal

Nataniel Pineda (702) 485-7738
631 Hogan Dr.
Las Vegas NV. 89107

July 17, 2019

City of Las Vegas
Department of Planning
Development Services Center
33 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

VAR-75819 - VARIANCE TO ALLOW RESIDENTIAL BUILDINGS TO HAVE A HEIGHT OF THREE STORIES WHERE TWO STORIES IS MAXIMUM ALLOWED

SDR-75822 SSITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-75819, VAR 75820 AND VAR-7582

Dear Planning Department:

I appreciate the opportunity to comment on the two subject proposals. I am opposed to both proposals. In October 2014 the people in the neighborhood of the subject land commented on similar proposals. We were very much opposed to zoning changes from low density to medium density, which is again being proposed. I am enclosing copies of our 2014 letters to you with the names, addresses, and signatures of the people that opposed the zoning change then. As you can see there were more than 100 people that signed the petitions that were sent to you.

I hope that the information being provided to you will be sufficient evidence of people's feelings toward the Zoning change and that you will reject the application.

Sincerely

Frank E. Bingham
412 Estella Ave.
Las Vegas, Nevada

Submitted at City Council
Date 7/17/19 Item 78 AND 81
By: FRANK Bingham

September 15, 2014

City of Las Vegas
Planning & Development Department
Development Services Center 3rd Floor
333 North Rancho Drive
Las Vegas, NV 89106

OBJECTION TO PROPOSED ZONING CHANGE:
ZON-55777 - REZONING RELATED TO GPA-55775 - PUBLIC HEARING - APPLICANT/OWNER: CHURCH LDS PRESIDING BISHOP - For possible action on a request for a Rezoning FROM: R-1 (LOW DESITY RESIDENTIAL) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) AND C-V (CIVIC) on 2.19 acres located on the north side of Bonanza Road 1,540 feet east of Decatur Boulevard (APN 139-30-306-003), Ward 5 (Barlow)[PRJ-54464].

We the undersigned, are residents in the areas adjacent to the above property. Our neighborhood is zoned LOW DENSITY, and we live in single family homes. There are no apartments in this area. The zoning change which would allow a "39-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT WITH A WAIVER TO ALLOW A ZERO-FOOT PERIMETER LANDSCAPE BUFFER ALONG A PORTION OF THE WEST PERIMETER WHERE A MINIMUM OF SIX FEET IS REQUIRED", would have significant impacts, not only on our property values, but would probably increase the crime rate. It is a proven fact, that where apartment housing exists, crime rates are much higher than areas of single family homes.

We therefore request that the zoning change proposal be denied.

Name	Address	Signature
DAVID Lofgreen	4304 Hanford Ave	
Kathryn Oman	4300 Hanford	
Adelyn Berman	4312 Hanford Ave	
WALTER BURK	4312 HANFORD AVE	
JAN / MARALOU	4400 HANFORD AVE.	
TOM KUNKLE	4333 HANFORD AVE	
Timothy Gregg	4404 HANFORD AVE	
Edna Gregg	4404 Hanford Ave	
Benia Sanchez	4408 HANFORD ave	
Shanae Grant	4412 Hanford AVE	

Name	Address	Signature
GREG HILLIARD	4329 HANFORD AVE.	

September 15, 2014

City of Las Vegas
Planning & Development Department
Development Services Center 3rd Floor
333 North Rancho Drive
Las Vegas, NV 89106

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We therefore request that the zoning change proposal be denied.

Name	Address	Signature
Mary Lynn Riggs	404 Horn St.	Mary Lynn Riggs
William Riggs	"	William Riggs
Charles Ankenman	401 Horn St	Charles Ankenman
Doris Ankenman	401 Horn	Doris Ankenman
Charles Churchill	409 Horn	Charles Churchill
Janet Churchill	409 Horn	Janet Churchill
Daryl M Cropper	413 Horn	DARYL CROPPER
Ann Cropper	413 Horn	ANN CROPPER
Ed Boy	421 Horn	
Charles Bufalino	405 Horn St.	Charles Bufalino

Name	Address	Signature
Aaron Rottunch	305 Horn	Aaron Rottunch
Rodolfo Arbillo	201 Horn St.	Rodolfo Arbillo
Enrique Arciga	304 horn st	[illegible]
Daniel Kerecoman	4224 Snead	[illegible]

how to medium density

September 15, 2014

City of Las Vegas
Planning & Development Department
Development Services Center 3rd Floor
333 North Rancho Drive
Las Vegas, NV 89106

25

OBJECTION TO PROPOSED ZONING CHANGE:
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We therefore request that the zoning change proposal be denied.

Name	Address	Signature
Victor Moss	4008 W. Bonanza Rd	[signature]
Debra Williams-Edward	4012 W Bonanza Rd.	Debra Williams-Edward
Tod Canton	4016 W Bonanza	Tod Canton
Joan C. Hernandez	4100 W Bonanza rd	Carlos H
Edward Green	4104 W. Bonanza	Edward Green
Laura de la torre	4108 W. Bonanza	[signature]
Delfina Stgo	4112 W. Bonanza Rd	Delfina Stgo
John C. Sievers	4116 W Bonanza Rd	[signature]
Maximino Villa	4120 W. Bonanza Rd	[signature]
David Miranda	4224 W. Bonanza Rd	[signature]
Lindsay Raymond	4300 W. Bonaza	[signature]
Mariangrade	4320 W Bonanza	[signature]
Tomasa Rios	4324 W Bonanza Rd	Tomasa Rios

Name	Address	Signature
Juan Sosa	4328 w. Bonanza Rd	
Ana Escandon (Titles Del Golfo Inc)	619 Hogan Dr.	
Sonando Escandon	4400 w. Bonanza Rd.	
Cesar Martinez	4408 W Bonanza	
Marco A. Mendoza	4421 W Bonanza Rd	
Oscar Parides-Gomez	4417 W Bonanza Rd	
Milton Meinhera	4405 w. Bonanza Rd.	
Jose Manuel Serrano, Elvia Serrano	4333. W. Bonanza Rd.	
Jose Manuel Serrano, Elvia Serrano	4328 w. Bonanza rd.	
Jose A. Heredia Ponce	4313 W. Bonanza R-D.	
Guillermo Borjas	4309 W Bonanza Rd L.V.N Guillermo Borjas	

September 15, 2014

City of Las Vegas
Planning & Development Department
Development Services Center 3rd Floor
333 North Rancho Drive
Las Vegas, NV 89106

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We therefore request that the zoning change proposal be denied.

Name	Address	Signature
Scott Rowley	4000 Fortune	
Jack Smith	4008 Fortune	
Jennifer Sandoval	4012 Fortune	
Armando Flores	4100 Fortune	
Michelle Patrick	4109 Fortune	Michelle Patrick
Bernadette Adkins	4104 Fortune	B. Adkins
Peter Reyes	4117 Fortune	
Pablo Gonzalez	4120 Fortune Ave	
María Rojas	4116 Fortune Ave	
Rosemary Pisani	4224 Fortune	Rosemary Pisani

Name	Address	Signature
Gwendolyn P.Y. Perry	4131 Fortune Ave. Las Vegas, NV. 89107	Gwendolyn P.Y. Perry
Mamede Haje	4117 Fortune Ave LV, NV 89107	
Phyllis + Juan Sanchez	4016 Fortune Ave. 89107	Phyllis Sancha
Denise Maier	4001 Fortune Ave 89107	Denise Maier
Fred Maier	4001 Fortune Ave 89107	Fred Maier
Evan kae Smith	4008 Fortune Av 89107	Evan kae Smith
SCOTT E. PECK	4009 FORTUNE AVE	Scott E. Peck
Margaret N. Jamieson	4004 Fortune Ave 89107	Margaret
Helen Holland	4004 Snead Dr 89107	Helen Holland
Modesta Santana	4201 Snead Dr 89107	Modesta Santana
David Santana	4201 Snead Dr 89107	David Santana
Jimmy Carter	4309 Snead Dr LV NV 89107	
MARIA NARVAEZ	4312 snead Dr 89107	MARIA NARVAEZ
Pete Corleto	4321 SNEAD DR 89107	PETE CORLETO
JUDITH CORLETO	4321 SNEAD DR 89107	
Lorena Narvaez	4312 Snead Dr (702) 713-2017	
Jarran Carter	4309 Snead Dr. (702) 718-4628	
WILLIAM L GLATZ	4220 SNEAD DR 702 877 0607	
Victor M Rodriguez	4005 Snead Dr 89107	
Alfredo Flores	4103 FORTUNE AVE 89107	

September 15, 2014

City of Las Vegas
Planning & Development Department
Development Services Center 3rd Floor
333 North Rancho Drive
Las Vegas, NV 89106

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We therefore request that the zoning change proposal be denied.

Name	Address	Signature
Frank Bingham	412 Estella Ave	
Pauline Bingham	412 Estella	
Barbara Fleming	408 Estella	
Richard Cronack	400 Estella	
Bernard King	416 Estella	
Janette M King	416 Estella	
Billy Sadler	417 Estella	
Robert Bergstrom	402 Estella	
E Bagtas	301 Horn	
David Oxborrow	401 Estella Ave.	
Annette Crowder	400 Estella Ave	
Christina Brunmeier	420 Estella Ave	

Name	Address	Signature
Adam Arizaga	500 Estella Ave LV NV 89107	Adam Arizaga
Jaime Rios	504 Estella Ave LV NV 89107	Jaime Rios
MARIA LEDEZMA.	512 ESTELLA AVE.	Maria Ledezma
Marilyn Norton	321 Sabra Ct.	Marilyn Norton
JAMES FREDERICKSON	317 SABRA CT	James Frederickson
RITA FREDERICKSON	317 SABRA CT	Rita Frederickson
MARIA RIOS	320 Estella AVE LV, NV 89107	Maria R.
BEATRIZ GARCIA	320 ESTELLA	Beatriz Garcia
LEON MCKITRICK	409 ESTELLA	Leon McKitrick
John Napoleon	4417 St. Andrews	John Napoleon
Fernando Mendizabal	627 Hogan dr.	Fernando M.
VINCE HERRERA	4409 St. Andrews cir 89107	
Diana Smallridge	4332 Snead DR	Diana Smallridge
JIM SMALLRIDGE	4332 SNEAD DR.	
MARION BOTT	4317 W. Bonanza	Marion L. Bott
SHEILA L. DICKINSON	4413 SAINTANDREWS	Sheila L. Dickinson
Roland Felix	4417 St. Andrews Cir.	
ANA PERCE	4413 St. Andrews Circle, LV NV 89107	
Brandi Brown	309 Estella Ave 89107	
Randy Hicks	309 Estella	89107

Name	Address	Signature
Nancy H. Smith	305 Estella	Nancy H. Smith
Janet Gutierrez	209 Moller Cir.	Gutierrez
FIDEL & ANA TORRES	217 MOLLER	[illegible]
Erilyn Littlefield	220 Moller Cir	[illegible]
TIM DOWD	208 Moller cir	[illegible]
Dana Ledford	204 Moller cir	Dana Ledford
HUGH LEDFORD	204 Moller Circle	[illegible]
Maria Garcia	212 Estella Ave	Maria Garcia
Adriana Velasco	308 Estella AV	Adriana Velasco
Tonya Barschdorf	404 Estella Ave	Tonya Barschdorf
Lori Racine	405 Estella Ave	Lori Racine

September 15, 2014

City of Las Vegas
Planning & Development Department
Development Services Center 3rd Floor
333 North Rancho Drive
Las Vegas, NV 89106

OBJECTION TO PROPOSED ZONING CHANGE:
ZON-55777 - REZONING RELATED TO GPA-55775 - PUBLIC HEARING - APPLICANT/OWNER: CHURCH LDS PRESIDING BISHOP - For possible action on a request for a Rezoning FROM: R-1 (LOW DESITY RESIDENTIAL) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) AND C-V (CIVIC) on 2.19 acres located on the north side of Bonanza Road 1,540 feet east of Decatur Boulevard (APN 139-30-306-003), Ward 5 (Barlow)[PRJ-54464].

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We therefore request that the zoning change proposal be denied.

Name	Address	Signature
Allen Ivie	4308 Fortune Ave	
Veronica Foley	4304 Fortune Ave	
Horacio Ramos	4337 Snead Dr	
Cristina Z.	804 Hogan Dr.	
Elianna Duarte	804 Hogan Dr.	
Yvonne Damas	4405 W. Washington Ave	
Clarence Williams	4419 W Washington Ave	
Mike Yonko	4425 W Washington	

Name	Address	Signature
Jennifer Eastep-Carlton	4428 Thompson cir	
Myrna Winslow	4408 St Andrews Circle	Myrna Winslow
Mary Harris	4424 Saint Andrews	
GABRIE PEREZ	4421 " "	
John Napoleon jr.	631 HOGAN	John Napoleon
ORCHID JENNINGS	615 HOGAN DR.	
Maribel Cobian	4337 Fortune Ave.	Maribel Cobian
Maria A Arroyo	4333 fortune AV	maria A Arroyo
Jesus Montero	4329 Fortune	Jesus H Montero
Carlos J. Ramirez	4317 Fortune Ave L.V. Nv. 89107	
Barman	4313 fortune ave Lasvegas NV. 89107	Barman
Linda Smith	4325 Fortune Ave Las Vegas, NV. 89107	
Thomas R. Tafoya	4309 Fortune Ave Las Vegas, NV 89107	
Samantha Marshall	4229 Fortune Ave Las Vegas, NV 89107	

October 13, 2014

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

GPA-55775 - GENERAL PLAN AMENDMENT, FROM: PF (PUBLIC FACILITIES) TO: ML (MEDIUM-LOW DENSITY RESIDNETIAL). See copy of notice enclosed.

ZON-55777 - REZONING RELATED TO GPA-55775 - REQUEST FOR REZONING FROM: R-1 (LOW DENSITY RESIDENTIAL) TO: R-3 (MEDIUM DENSITY RESIDENTIAL). See copy of notice enclosed.

SDR-55779 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-55775 AND ZON-55777. See copy of notice enclosed.

Dear Planning Commission:

We appreciate the opportunity to comment on the subject proposed actions. Enclosed are petitions addressed to the CITY OF LAS VEGAS DEPARTMENT OF PLANNING opposing the proposed zoning change and site development plan. These documents contain the names, addresses and signatures of 146 people who either reside adjacent to, or live near the subject property. We believe the applicants plan to build a "39- UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT" on the 2.19 acres would have significant adverse impacts to our neighborhoods. We believe these impacts would include the following:

- Lower the property values of our homes. Changing the zoning from LOW DENSITY to MEDIUM DENSITY REIDENTIAL, for a large area in our neighborhoods, could we believe, have a considerable adverse impact by lowering the value of the property of the area.

- Reduced quality of life which would be associated with the higher population density. We believe the proposed rezoning, and subject development, would result in an increase in crime. It is a proven fact, that areas with the high population density, such as is being proposed by the developer, have significantly more incidents of crime than LOW ZONED RESIDENTIAL areas. We presently have few crime problems in our neighborhoods.

- A substantial increase in traffic. The property is located across the street from Western High School. Also, Ruth Fife Elementary School is located about two blocks east of this site. Both of these schools produce considerable traffic on Bonanza Road. Adding a large number of additional residences, would significantly add to the already heavy traffic problem of the area.

We were disappointed with the location where the public meeting was held to review the site plan and zoning change proposals. The church, where the meeting was held, is about 2 miles from the subject property. There are three schools adjacent to, or in close proximity to the project area (Western High School, Ruth Fife Elementary School and Gibson Middle School) where the meeting could have been held. This would have been more convenient to the affected residents, and would have, we believe resulted in a much larger attendance. Also, the material presented by the developer lacked specifics such as sketches or drawings of what the buildings might look like. He did have a photo of a condominium on display, which when he was asked about it said that it had nothing to do with what he was proposing to construct.

Also, we would think that the LDS Church would be concerned about having 39 condominiums or apartments constructed immediately behind the Bonanza chapel. This, we believe could result in safety problems for people attending meetings at this building, and could possibly also result in vandalism to their

facilities.

Finally, we are not opposed to the development of this property if it conformed to the requirements of LOW ZONED RESIDENTIAL.

Sincerely

Frank E. Bingham
412 Estella Ave.
Las Vegas, Nevada 89107
(702) 878 0011

Charles Ankenman
401 Horn Street
Las Vegas, Nevada 89107

Jack Smith
4008 Fortune Ave.
Las Vegas, Nevada 89107

Allen Ivie
4308 Fortune Ave
Las Vegas, Nevada 89107

c.c. Presiding Bishop, Church of Jesus Christ of Latter Day Saints, 50 East North Temple St., Salt Lake City Utah 84150

Shawn G. Gutierrez, President, Las Vegas Nevada Stake , Church of Jesus Christ of Latter Day Saints

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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Return Service Requested
Official Notice of Public Hearing



RECEIVED
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Dept of Planning
City of Las Vegas

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. If you would like to contact your Council Representative, please call (702) 229-5405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75819 and VAR-75820 [PRJ-75700]
Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930316035
ANDERSON DAGMAR M
712 HOGAN DR
LAS VEGAS NV 89107-2084

89107

Submitted after final agenda

32-33P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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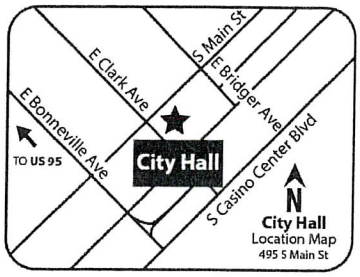
Permit No. 1630

Return Service Requested
Official Notice of Public Hearing



2 Story Neighborhood

post 3

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Dept of Planning
City of Las Vegas

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75819 and VAR-75820 [PRJ-75700]

Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930315012
WINSLOW DENIS L
4409 THOMPSON CIR
LAS VEGAS NV 89107-2076

97 BRDGNP1 89107

32P
33P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

2 stay neighborhood
Not 3

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Las Vegas, NV
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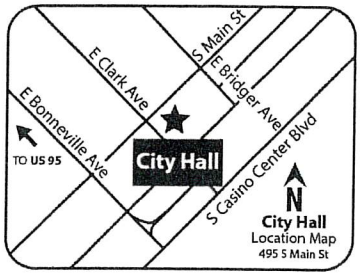
RECEIVED
APR 02 2019
Dept of Planning
City of Las Vegas

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75819 and VAR-75820 [PRJ-75700]

Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930316005
WINSLOW DENIS L & MYRNA L
4408 ST ANDREWS CIR
LAS VEGAS NV 89107-2024

97 BRDGNP1 89107

32 P
33 P

Nora Lares

From: noreply@formstack.com
Sent: Monday, April 8, 2019 2:04 PM
To: Planning Comments
Subject: Planning Application Comments Form

RECEIVED
APR 08 2019
Dept of Planning
City of Las Vegas

EXTERNAL EMAIL

formstack

Formstack Submission For: PlanningApplicationComments2019
Submitted at 04/08/19 2:04 PM

Meeting Date:	Tuesday, April 9, 2019
Project Number:	75700
Position:	I OPPOSE the project and all related applications.
Name:	Allen Ivie
Residential or Business Address:	4308 Fortune Ave Las Vegas, NV 89107
Phone:	(702) 255-4797
Email:	adi3212@embarqmail.com
Comments:	I oppose all applications concerning project 75700

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Submitted after final agenda

32-36P

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
79

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
VAR-75820 - ABEYANCE ITEM - VARIANCE RELATED TO VAR-75819 - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Variance TO ALLOW RESIDENTIAL BUILDINGS TO HAVE A HEIGHT OF THREE STORIES WHERE TWO STORIES IS THE MAXIMUM ALLOWED ON LOT TWO OF A TWO LOT PROPOSED RESIDENTIAL SUBDIVISION on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	3	Planning Commission Mtg.	0
City Council Meeting	22	City Council Meeting	4

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend DENIAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation
3. Protest/Support Postcards
4. Backup Submitted from the May 15, 2019 City Council Meeting

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

Print Form

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) TENTATIVE MAP / WAIVER OF STANDARDS

Project Address (Location) North side of Bonanza Road approximately 1630 ft east of intersection of Decatur Blvd.

Project Name Montage Estates **Proposed Use** R-2 (Residential Condos)

Assessor's Parcel #(s) 139-30-306-003 **Ward #** 5 - Cedric Crear

General Plan: Existing ML Proposed _____ **Zoning:** Existing R-2 Proposed _____

Additional Information R-2 Zoning Requires 6500 sq.ft. lots and a maximum of 6-12 dwelling units per lot. In light of this aspect, a parcel map will subdivide into 2 lots, then a condo map for 10 units on Lot 1 and a condo map for 8 units on Lot 2. A total of 3 maps.

Property Owner SK USA, LLC Contact George Varhelyi
Address 7345 S. Durango Drive, Suite B107-140 City Las Vegas State NV Zip 89113
E-mail GV23lasvegas@gmail.com Phone (702) 461-6847

Applicant SK USA, LLC Contact Csaba Meiszburger
Address 7345 S. Durango Drive, Suite B107-140 City Las Vegas State NV Zip 89113
E-mail CsabaMeiszburger@me.com Phone (702) 237-4070

Representative SK USA, LLC. Contact Csaba Meiszburger
Address 7345 S. Durango Drive, Suite B107-140 City Las Vegas State NV Zip 89113
E-mail CsabaMeiszburger@me.com Phone (702) 237-4070

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company? ☐ Yes ☐ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official _____ **Partner(s)** _____

Partner(s) _____

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature GVarhelyi
An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name GEORGE VARHELYI

Subscribed and sworn before me State of Nevada County of Clark

This 22nd day of January 20 19

Jim Liaos
Notary Public in and for said County and State

JIM LIAOS
Notary Public - State of Nevada
County of Clark
APPT. NO. 07-1102-1
My App. Expires Dec. 29, 2022

PRJ-75700
02/19/19

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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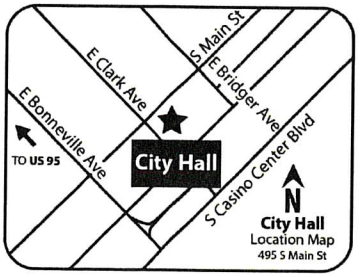

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75820 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930316022
JONES KIMBERLY
619 HOGAN DR
LAS VEGAS NV 89107

97 BRDFNP1 89107

City of Las Vegas
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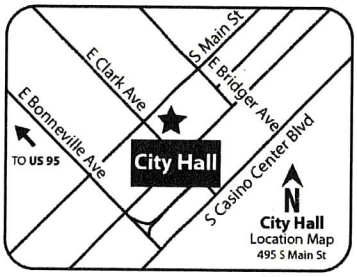

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-75820 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930316013
NAPOLEON JOHN J SR & DOLORES
4417 ST ANDREWS CIR
LAS VEGAS NV 89107-2075

97 BRDFNP1 89107

City of Las Vegas
Office of The City Clerk
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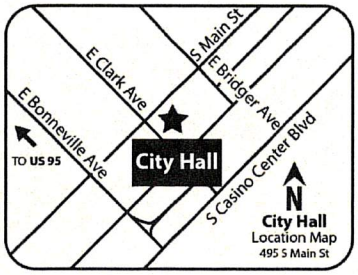

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-75820 [PRJ-75700]
City Council Meeting of **05/15/19**

Maria Rodriguez
702 972 2595

PRJ-75700
13930316011
RODRIGUEZ MARIA V
ROJAS-MORALES RENGI R
4425 SAINT ANDREWS CIR
LAS VEGAS NV 89107-2075

97 BRDFNP1 89107

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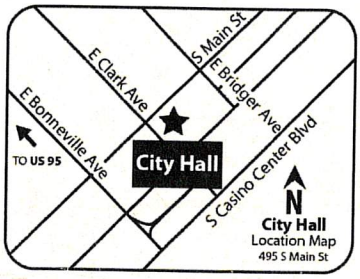

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☑ I SUPPORT this Request

☐ I OPPOSE this Request

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VAR-75820 [PRJ-75700]

City Council Meeting of **05/15/19**

PRJ-75700
13930311006
FLECKENSTEIN ALICE A & LISA L
729 SPYGLASS LN
LAS VEGAS NV 89107-2051

97 BRDFNP1 89107

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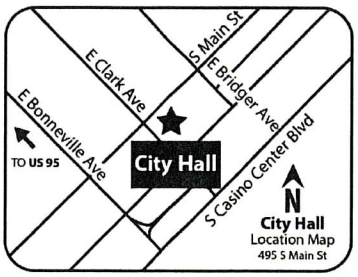

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-75820 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411003
ANKENMAN CHARLES H & DORIS
401 HORN ST
LAS VEGAS NV 89107-2121

97 BRDFNP1 89107

City of Las Vegas
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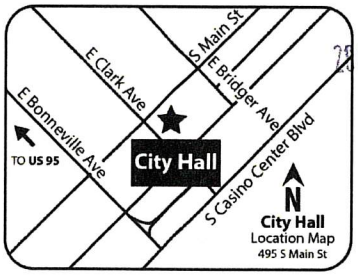

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-75820 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411029
RIGGS WILLIAM V & MARY LYNN
404 HORN ST
LAS VEGAS NV 89107-2118

97 BRDFNP1 89107

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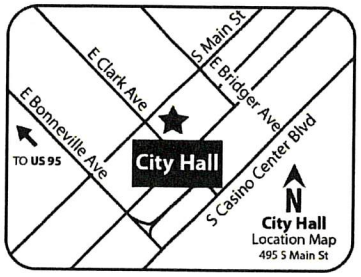

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-75820 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930410032
CROPPER ANN K & DARYL M REV TR
CROPPER ANN K & DARYL M TRS
413 HORN ST
LAS VEGAS NV 89107-2121

97 BRDFNP1 89107

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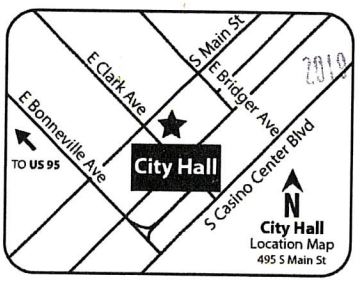

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-75820 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411002
BUFALINO CHARLES J & KAROL A
405 HORN ST
LAS VEGAS NV 89107-2121

97 BRDFNP1 89107

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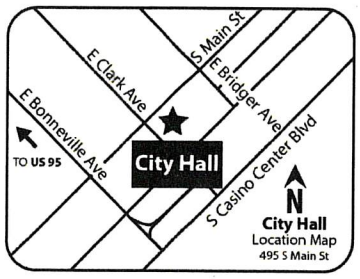

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-75820 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411001
CHURCHILL FAMILY TRUST
CHURCHILL CHARLES E & JANET TRS
409 HORN ST
LAS VEGAS NV 89107-2121

97 BRDFNP1 89107

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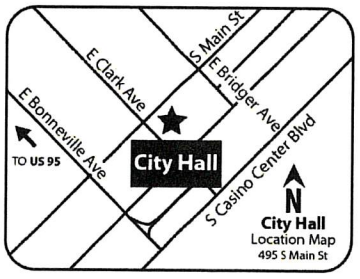

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

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VAR-75820 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411028
WOLFRAM MARILOU
400 HORN ST
LAS VEGAS NV 89107

97 BRDFNP1 89107

City of Las Vegas
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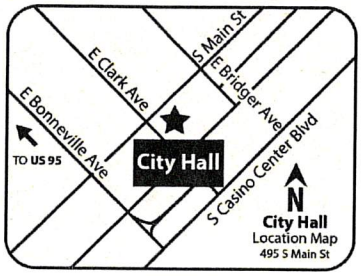

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-75820 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930322017
WILCOX GARY & DIANNA
827 SEA PINES LN
LAS VEGAS NV 89107-2065

97 BRDFNP1 89107

Submitted after final agenda
Item 95

5

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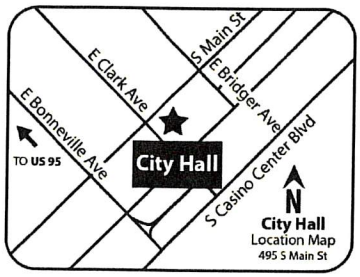

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-75820 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930410011
SCHEELER IRREVOCABLE TRUST
BOTT MARION J TRS
4317 W BONANZA RD
LAS VEGAS NV 89107-2107

97 BRDFNP1 89107

City of Las Vegas
Office of The City Clerk
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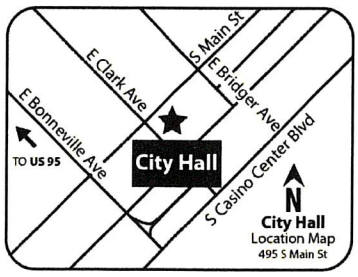

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-75820 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411021
RUSINSKI GLENN E & WENDY L
212 MOLLER CIR
LAS VEGAS NV 89107-2128

97 BRDFNP1 89107

City of Las Vegas
Office of The City Clerk
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Las Vegas, Nevada 89101

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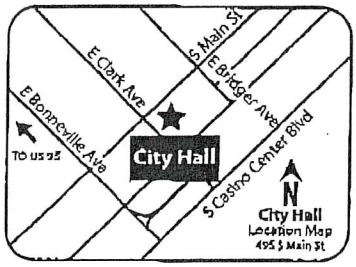

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-75820 [PRJ-75700]
City Council Meeting of **05/15/19**

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PRJ-75700
13930316035
ANDERSON DAGMAR M
712 HOGAN DR
LAS VEGAS NV 89107-2084

Submitted after final agenda
Item 95

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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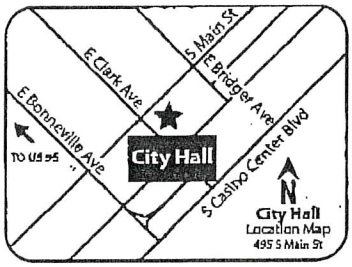

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VAR-75819 [PRJ-75700]
City Council Meeting of **05/15/19**

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PRJ-75700
13930316035
ANDERSON DAGMAR M
712 HOGAN DR
LAS VEGAS NV 89107-2084

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Las Vegas, Nevada 89101

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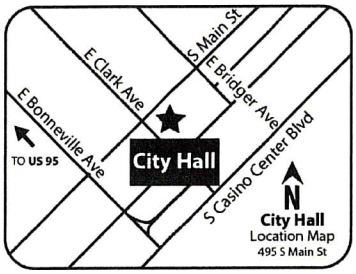

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-75820 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930412005
BINGHAM FRANK & F PAULINE
NORTON MARILYN
412 ESTELLA AVE
LAS VEGAS NV 89107

97 BRDFNP1 89107

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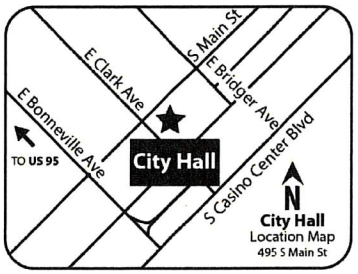

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75820 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930412026
BINGHAM 1994 TRUST
BINGHAM FRANK E & F P CO-TRS
412 ESTELLA AVE
LAS VEGAS NV 89107-2105

Submitted after final agenda
Item 95

97 BRDFNP1 89107

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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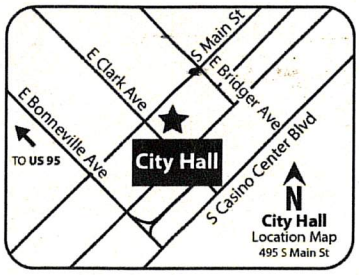

PRJ-75700
13930412011
BRAVARD CHARLES & LEONE
201 MOLLER CIR
LAS VEGAS NV 89107

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75820 [PRJ-75700]
City Council Meeting of **05/15/19**

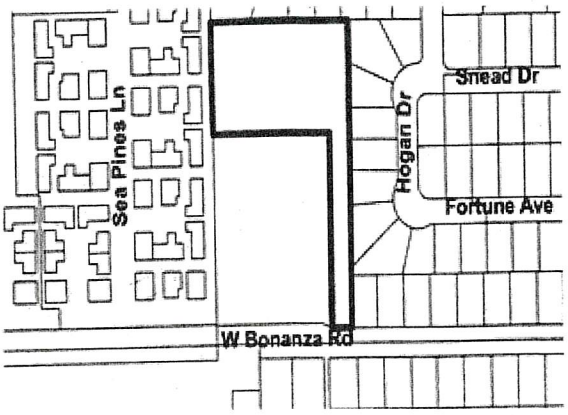
97 BRDFNP1 89107

Application Information

VAR-75820 - VARIANCE RELATED TO VAR-75819 - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Variance TO ALLOW RESIDENTIAL BUILDINGS TO HAVE A HEIGHT OF THREE STORIES WHERE TWO STORIES IS THE MAXIMUM ALLOWED ON LOT TWO OF A TWO LOT PROPOSED RESIDENTIAL SUBDIVISION on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

Don't ↑ congestion in this area of schools + residential homes.

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	05/15/19
Location:	City Council Chambers 495 South Main St, 2nd Fl. Las Vegas, Nevada
Not to be heard before:	11:00AM

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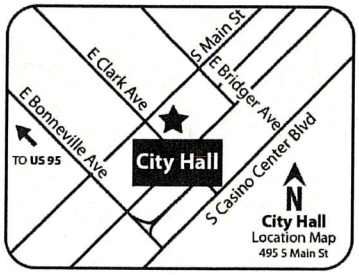

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75820 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930412025
FLEMING JOSEPH L & BARBARA E
408 ESTELLA AVE
LAS VEGAS NV 89107-2105

97 BRDFNP1 89107

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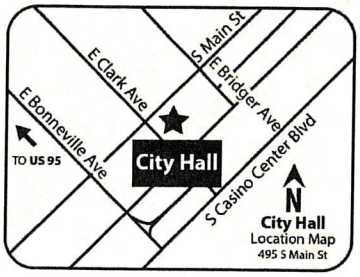

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75820 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930311027
RHODES MICHAEL LEE
3714 STARGAZER AVE
SAN PEDRO CA 90732

2 BRDFNP1 90732

Submitted after final agenda
Item 95

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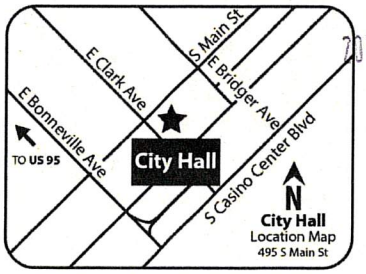

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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VAR-75820 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930301006
DANA DEVELOPMENT L L C
NATIONAL FACILITIES CORP
660 N DECATUR BLVD
LAS VEGAS NV 89107-1918

97 BRDFNP1 89107

Submitted after final agenda
Item 95

City of Las Vegas
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Las Vegas, Nevada 89101

LAS VEGAS
NV 890
07 MAY '19
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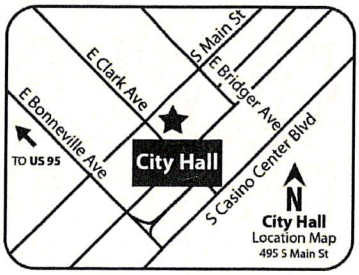

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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VAR-75820 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930318019
GROPPENBACHER JONATHAN & SHANNA
816 FAIRWAY DR
LAS VEGAS NV 89107

97 BRDFNP1 89107

Submitted after final agenda
Item 95

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
80

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
VAR-75821 - ABEYANCE ITEM - VARIANCE RELATED TO VAR-75819 AND VAR-75820 - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Variance TO ALLOW A 47-FOOT WIDE ACCESS CONTROL GATE WHERE 50 FEET IS REQUIRED; TO ALLOW SIDEWALKS ON ONE SIDE WHERE SIDEWALKS ON BOTH SIDES ARE REQUIRED AND TO ALLOW A CONNECTIVITY RATIO OF 1.00 WHERE 1.30 IS REQUIRED on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	3	Planning Commission Mtg.	0
City Council Meeting	21	City Council Meeting	3

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend DENIAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation
3. Protest/Support Postcards
4. Backup Submitted from the May 15, 2019 City Council Meeting
5. Backup Submitted at the April 9, 2019 Planning Commission Meeting

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

Print Form

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) TENTATIVE MAP / WAIVER OF STANDARDS

Project Address (Location) North side of Bonanza Road approximately 1630 ft east of intersection of Decatur Blvd.

Project Name Montage Estates **Proposed Use** R-2 (Residential Condos)

Assessor's Parcel #(s) 139-30-306-003 **Ward #** 5 - Cedric Crear

General Plan: Existing ML Proposed _____ **Zoning:** Existing R-2 Proposed _____

Additional Information R-2 Zoning Requires 6500 sq.ft. lots and a maximum of 6-12 dwelling units per lot. In light of this aspect, a parcel map will subdivide into 2 lots, then a condo map for 10 units on Lot 1 and a condo map for 8 units on Lot 2. A total of 3 maps.

Property Owner SK USA, LLC Contact George Varhelyi
Address 7345 S. Durango Drive, Suite B107-140 City Las Vegas State NV Zip 89113
E-mail GV23lasvegas@gmail.com Phone (702) 461-6847

Applicant SK USA, LLC Contact Csaba Meiszburger
Address 7345 S. Durango Drive, Suite B107-140 City Las Vegas State NV Zip 89113
E-mail CsabaMeiszburger@me.com Phone (702) 237-4070

Representative SK USA, LLC. Contact Csaba Meiszburger
Address 7345 S. Durango Drive, Suite B107-140 City Las Vegas State NV Zip 89113
E-mail CsabaMeiszburger@me.com Phone (702) 237-4070

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company? ☐ Yes ☐ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official _____ **Partner(s)** _____

Partner(s) _____

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature GVarhelyi
An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name GEORGE VARHELYI

Subscribed and sworn before me State of Nevada County of Clark

This 22nd day of January 20 19

Jim Liaos
Notary Public in and for said County and State

JIM LIAOS
Notary Public - State of Nevada
County of Clark
APPT. NO. 07-1102-1
My App. Expires Dec. 29, 2022

PRJ-75700
02/19/19

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Office of The City Clerk
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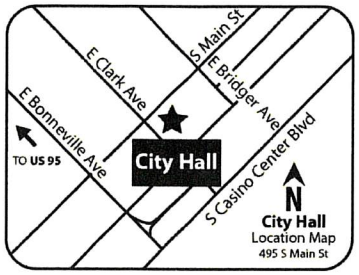

PRJ-75700
13930411028
WOLFRAM MARILOU
400 HORN ST
LAS VEGAS NV 89107

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.
VAR-75821 [PRJ-75700]
City Council Meeting of **05/15/19**

97 BRDFNP1 89107

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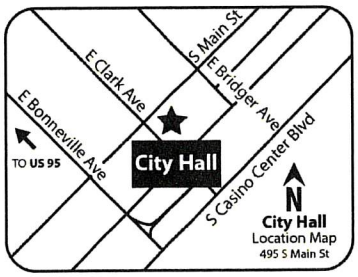

PRJ-75700
13930411001
CHURCHILL FAMILY TRUST
CHURCHILL CHARLES E & JANET TRS
409 HORN ST
LAS VEGAS NV 89107-2121

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-75821 [PRJ-75700]
City Council Meeting of **05/15/19**

97 BRDFNP1 89107

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Las Vegas, Nevada 89101

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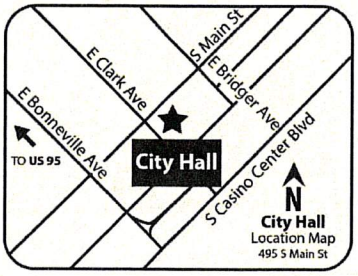

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-75821 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930316022
JONES KIMBERLY
619 HOGAN DR
LAS VEGAS NV 89107

97 BRDFNP1 89107

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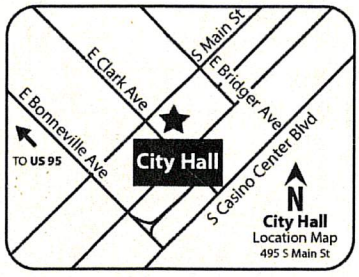

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-75821 [PRJ-75700]
City Council Meeting of **05/15/19**

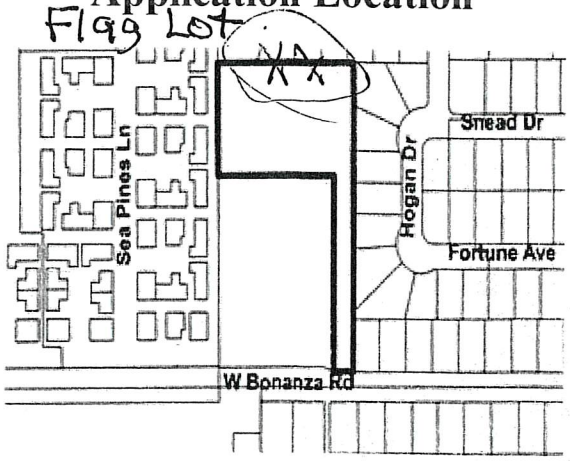
PRJ-75700
13930316013
NAPOLEON JOHN J SR & DOLORES
4417 ST ANDREWS CIR
LAS VEGAS NV 89107-2075

97 BRDFNP1 89107

Application Information

VAR-75821 - VARIANCE RELATED TO VAR-75819 AND VAR-75820 - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Variance TO ALLOW A 47-FOOT WIDE ACCESS CONTROL GATE WHERE 50 FEET IS REQUIRED; TO ALLOW SIDEWALKS ON ONE SIDE WHERE SIDEWALKS ON BOTH SIDES ARE REQUIRED AND TO ALLOW A CONNECTIVITY RATIO OF 1.00 WHERE 1.30 IS REQUIRED on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

Application Location



The proposed project may not pertain to the entire highlighted project site.

Flag Lot
Only 1 side walk
Proposal of 47' wide instead of 50' width

Public Hearing Information

Meeting:	City Council
Date:	05/15/19
Location:	City Council Chambers 495 South Main St, 2nd Fl. Las Vegas, Nevada
Not to be heard before:	11:00AM

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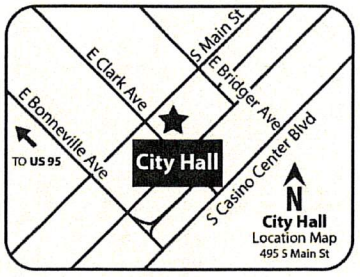

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

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VAR-75821 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930316011
RODRIGUEZ MARIA V
ROJAS-MORALES RENGI R
4425 SAINT ANDREWS CIR
LAS VEGAS NV 89107-2075

Maria Rodriguez
(702) 973-3595

97 BRDFNP1 89107

Application Information

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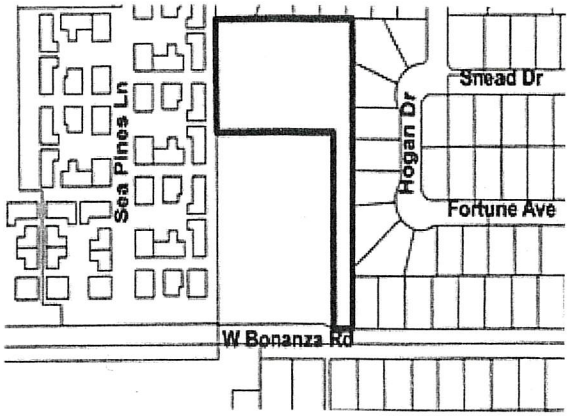
Access
47' Gate
instead of 50'
only 1 sidewalk

Application Location



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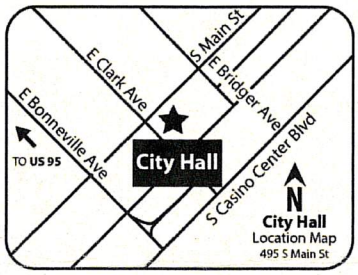

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75821 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930311006
FLECKENSTEIN ALICE A & LISA L
729 SPYGLASS LN
LAS VEGAS NV 89107-2051

97 BRDFNP1 89107

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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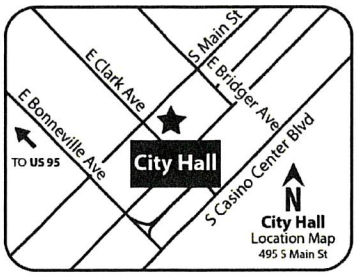
CITY CLERK
2019 MAY 20 P 12:49



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75821 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930410032
CROPPER ANN K & DARYL M REV TR
CROPPER ANN K & DARYL M TRS
413 HORN ST
LAS VEGAS NV 89107-2121

97 BRDFNP1 89107

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Las Vegas, NV
Permit No. 1630

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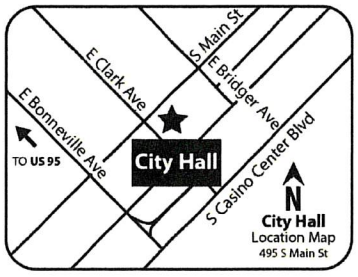
2019 MAY 20 P 12:49



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75821 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411029
RIGGS WILLIAM V & MARY LYNN
404 HORN ST
LAS VEGAS NV 89107-2118

97 BRDFNP1 89107

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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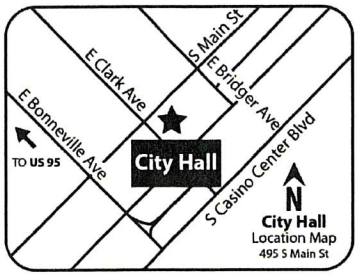
2019 MAY 20 P 12:48



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75821 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411003
ANKENMAN CHARLES H & DORIS
401 HORN ST
LAS VEGAS NV 89107-2121

97 BRDFNP1 89107

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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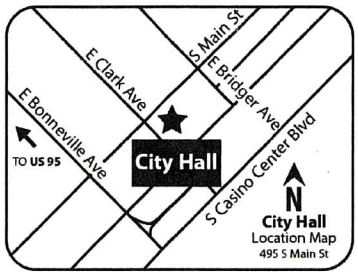
2019 MAY 20 P 12:49



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75821 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411002
BUFALINO CHARLES J & KAROL A
405 HORN ST
LAS VEGAS NV 89107-2121

97 BRDFNP1 89107

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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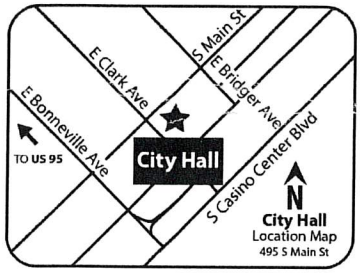
2019 MAY -7 A 8:18



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
GPA-75784 and ZON-75786 [PRJ-75766]
Planning Commission Meeting of **04/09/2019**

PRJ-75766
14031812018
YOUNG JOE W & LINDA M
19 PRINCE LN
LAS VEGAS NV 89110-4525

103 BRDGNP1 89110

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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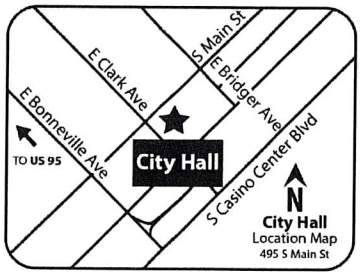
2019 MAY -7 A 8:17



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
VAR-75821 and SDR-75822 [PRJ-75700]
Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930411001
CHURCHILL FAMILY TRUST
CHURCHILL CHARLES E & JANET TRS
409 HORN ST
LAS VEGAS NV 89107-2121

97 BRDGNP1 89107

City of Las Vegas
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Las Vegas, Nevada 89101

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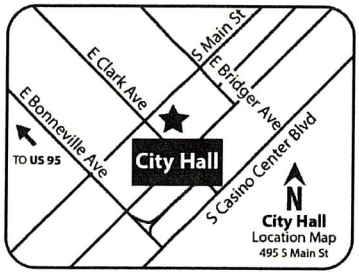
2019 MAY -8 P 12:21



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75821 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930410011
SCHEELER IRREVOCABLE TRUST
BOTT MARION J TRS
4317 W BONANZA RD
LAS VEGAS NV 89107-2107

97 BRDFNP1 89107

City of Las Vegas
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CITY CLERK
2019 MAY -8 P 12:21



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75821 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411021
RUSINSKI GLENN E & WENDY L
212 MOLLER CIR
LAS VEGAS NV 89107-2128

Submitted after final agenda
Item 96

97 BRDFNP1 89107

5

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Las Vegas, Nevada 89101

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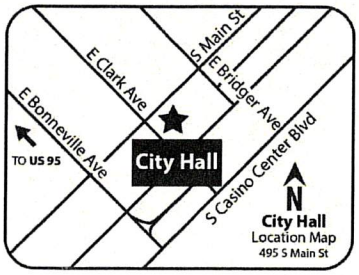

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75821 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930322017
WILCOX GARY & DIANNA
827 SEA PINES LN
LAS VEGAS NV 89107-2065

97 BRDFNP1 89107

Submitted after final agenda

Item 96

City of Las Vegas
Office of The City Clerk
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Las Vegas, Nevada 89101

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☐ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

TMP-75823 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930316035
ANDERSON DAGMAR M
712 HOGAN DR
LAS VEGAS NV 89107-2084

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495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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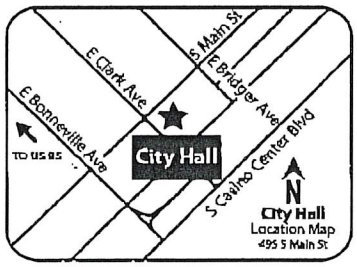

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☐ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75821 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930316035
ANDERSON DAGMAR M
712 HOGAN DR
LAS VEGAS NV 89107-2084

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2019 MAY -8 A 7:23

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Item 96

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Office of The City Clerk
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Las Vegas, Nevada 89101

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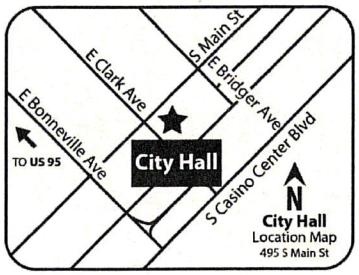

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75821 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930412025
FLEMING JOSEPH L & BARBARA E
408 ESTELLA AVE
LAS VEGAS NV 89107-2105

97 BRDFNP1 89107

Submitted after final agenda
Item 96

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

LAS VEGAS NV 890
03 APR 2019 PM 4 L

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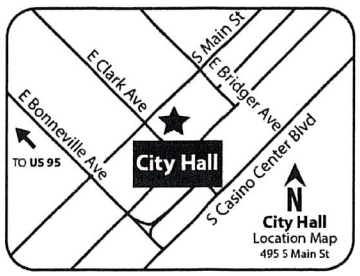

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75821 and SDR-75822 [PRJ-75700]
Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930410011
SCHEELER IRREVOCABLE TRUST
BOTT MARION J TRS
4317 W BONANZA RD
LAS VEGAS NV 89107-2107

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City of Las Vegas

97 BRDGNP1 89107

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City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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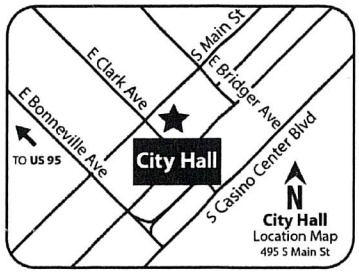

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City of Las Vegas

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☒ I SUPPORT this Request

☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75821 and SDR-75822 [PRJ-75700]
Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930306003
S K USA L L C
6725 DUNRAVEN AVE
LAS VEGAS NV 89139

113 BRDGNP1 89139

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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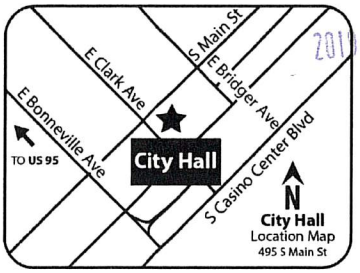

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
VAR-75821 and SDR-75822 [PRJ-75700]
Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930411002
BUFALINO CHARLES J & KAROL A
405 HORN ST
LAS VEGAS NV 89107-2121

97 BRDGNP1 89107

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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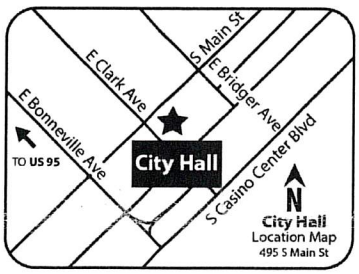

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
VAR-75821 and SDR-75822 [PRJ-75700]
Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930410032
CROPPER ANN K & DARYL M REV TR
CROPPER ANN K & DARYL M TRS
413 HORN ST
LAS VEGAS NV 89107-2121

97 BRDGNP1 89107

City of Las Vegas
Department of Planning
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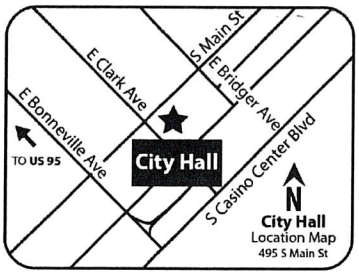

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City of Las Vegas

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75821 and SDR-75822 [PRJ-75700]
Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930411003
ANKENMAN CHARLES H & DORIS
401 HORN ST
LAS VEGAS NV 89107-2121

97 BRDGNP1 89107

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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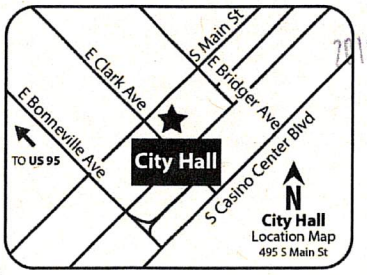

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75821 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930412011
BRAVARD CHARLES & LEONE
201 MOLLER CIR
LAS VEGAS NV 89107

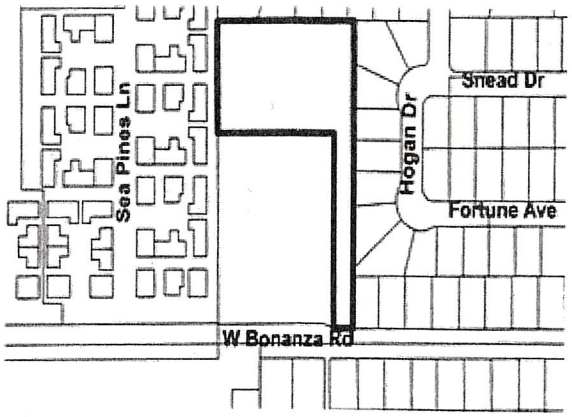
97 BRDFNP1 89107

Application Information

VAR-75821 - VARIANCE RELATED TO VAR-75819 AND VAR-75820 - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Variance TO ALLOW A 47-FOOT WIDE ACCESS CONTROL GATE WHERE 50 FEET IS REQUIRED; TO ALLOW SIDEWALKS ON ONE SIDE WHERE SIDEWALKS ON BOTH SIDES ARE REQUIRED AND TO ALLOW A CONNECTIVITY RATIO OF 1.00 WHERE 1.30 IS REQUIRED on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

This area is already congested. Many pedestrians are common in this area. Traffic puts them in harms way.

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	05/15/19
Location:	City Council Chambers 495 South Main St, 2nd Fl. Las Vegas, Nevada
Not to be heard before:	11:00AM

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 2nd Floor, City Hall, 495 South Main Street, Las Vegas, Nevada, 89101. For further information, go to www.lasvegasnevada.gov or call (702) 229-6311 (TTY 7-1-1). **Note that postcards and comments received after an agenda posts will not be reflected online until after the meeting; however, the comments are made available to the members of the governing body for their consideration prior to the meeting.**

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Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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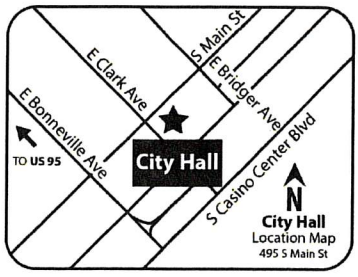

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75821 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930318019
GROPPENBACHER JONATHAN & SHANNA
816 FAIRWAY DR
LAS VEGAS NV 89107

97 BRDFNP1 89107

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Office of The City Clerk
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Las Vegas, Nevada 89101

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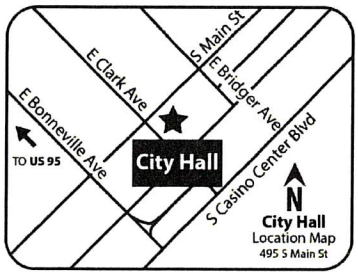

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

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VAR-75821 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930311027
RHODES MICHAEL LEE
3714 STARGAZER AVE
SAN PEDRO CA 90732

Submitted after final agenda
Item 96

2 BRDFNP1 90732

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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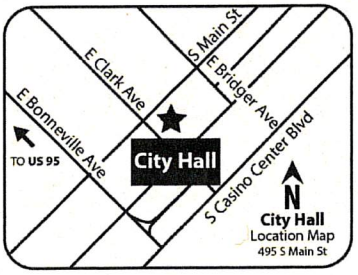

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Please use available blank space on card for your comments.

VAR-75821 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930301006
DANA DEVELOPMENT L L C
NATIONAL FACILITIES CORP
660 N DECATUR BLVD
LAS VEGAS NV 89107-1918

97 BRDFNP1 89107

Submitted after final agenda
Item 96

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of LasApr. 5. 2019 9:51PM No. 6741 P. 1

Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75821 and SDR-75822 [PRJ-75700]

Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930316035
ANDERSON DAGMAR M
712 HOGAN DR
LAS VEGAS NV 89107-2084

97 BRDGNP1 89107

Submitted after final agenda

34-35P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

2 Stop Neighborhood

Not 3

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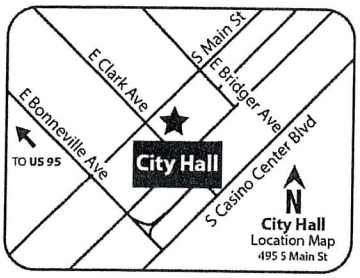

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-75821 and SDR-75822 [PRJ-75700]

Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930316005
WINSLOW DENIS L & MYRNA L
4408 ST ANDREWS CIR
LAS VEGAS NV 89107-2024

97 BRDGNP1 89107

34 P
3SP

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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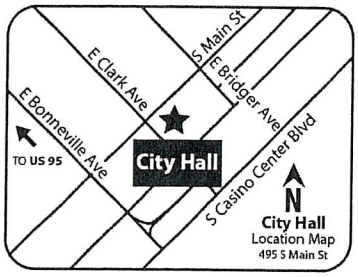
2 story neighborhood

Not 3



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City of Las Vegas

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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VAR-75821 and SDR-75822 [PRJ-75700]

Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930315012
WINSLOW DENIS L
4409 THOMPSON CIR
LAS VEGAS NV 89107-2076

97 BRDCNP1 89107

34P
35P

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
81

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
SDR-75822 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-75819, VAR-75820 AND VAR-75821 - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 18-UNIT RESIDENTIAL SUBDIVISION on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	3	Planning Commission Mtg.	0
City Council Meeting	21	City Council Meeting	4

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation
3. Clark County School District School Tracking Form for SDR-75822 and TMP-75823 [PRJ-75700]
4. Comments from City of Las Vegas Department of Public Works Traffic Engineering Division
5. Protest/Support Postcards
6. Backup Submitted from the May 15, 2019 City Council Meeting

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

Print Form

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) TENTATIVE MAP / WAIVER OF STANDARDS

Project Address (Location) North side of Bonanza Road approximately 1630 ft east of intersection of Decatur Blvd.

Project Name Montage Estates **Proposed Use** R-2 (Residential Condos)

Assessor's Parcel #(s) 139-30-306-003 **Ward #** 5 - Cedric Crear

General Plan: Existing ML Proposed _____ **Zoning:** Existing R-2 Proposed _____

Additional Information R-2 Zoning Requires 6500 sq.ft. lots and a maximum of 6-12 dwelling units per lot. In light of this aspect, a parcel map will subdivide into 2 lots, then a condo map for 10 units on Lot 1 and a condo map for 8 units on Lot 2. A total of 3 maps.

Property Owner SK USA, LLC Contact George Varhelyi
Address 7345 S. Durango Drive, Suite B107-140 City Las Vegas State NV Zip 89113
E-mail GV23lasvegas@gmail.com Phone (702) 461-6847

Applicant SK USA, LLC Contact Csaba Meiszburger
Address 7345 S. Durango Drive, Suite B107-140 City Las Vegas State NV Zip 89113
E-mail CsabaMeiszburger@me.com Phone (702) 237-4070

Representative SK USA, LLC. Contact Csaba Meiszburger
Address 7345 S. Durango Drive, Suite B107-140 City Las Vegas State NV Zip 89113
E-mail CsabaMeiszburger@me.com Phone (702) 237-4070

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company? ☐ Yes ☐ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official _____ **Partner(s)** _____

Partner(s) _____

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature GVarhelyi
An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name GEORGE VARHELYI

Subscribed and sworn before me State of Nevada County of Clark

This 22nd day of January 20 19

Jim Liaos
Notary Public in and for said County and State

JIM LIAOS
Notary Public - State of Nevada
County of Clark
APPT. NO. 07-1102-1
My App. Expires Dec. 29, 2022

PRJ-75700
02/19/19

Real Property Management
1180 Military Tribute Place
Henderson, Nv. 89074

School Development Tracking Form

http://ccsd.net/departments/real-property

Date Filed _____ **Application Number** _____ **Entity** _____

Company Name _____

Contact Name _____

Contact Mailing Address _____

City _____ **State** _____ **Zip Code** _____

Phone _____ **Mobile** _____ **Fax** _____ **Email** _____

Project Name _____

Project Description

APN's _____

Student Yield	Elementary School	Middle School	High School
Single-Family Units (1)	x 0.196 =	x 0.101 =	x 0.137 =
Multi-Family Units (2)	x 0.140 =	x 0.058 =	x 0.064 =
Resort Condo Units (3)			
Total			

(1) *Single Family unit is defined as single family detached home, mobile home, and town homes.*
(2) *Multi-Family unit is defined as apartment, multiplexes, and condominiums.*
(3) *Resort Condominium units for tracking purposes only.*

** To be completed by CCSD*

Schools Serving the Area*					
Name	Address	Grade	Capacity	Enrollment	Site Date

*** CCSD Comments**

☐ Approved ☐ Disapproved

SDR 75822
SK USA, LLC

N side of Bonanza Road, 1,550' E of Decatur Boulevard

Proposed 18 unit duplex residential development.

Traffic produced by proposed development:

Proposed Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DU]	18	9.44	**170**
AM Peak Hour			0.74	**13**
PM Peak Hour			0.99	**18**

(heaviest 60 minutes)

Existing traffic on all nearby streets:

Bonanza Road

Average Daily Traffic (ADT)	2,716
PM Peak Hour	217

(heaviest 60 minutes)

Decatur Boulevard

Average Daily Traffic (ADT)	46,454
PM Peak Hour	275

(heaviest 60 minutes)

Traffic Capacity of adjacent streets:

	Adjacent street ADT Capacity
Bonanza Road	12,480
Decatur Boulevard	53,445

This project will add approximately 170 trips per day on Bonanza Rd. and Decatur Blvd. Currently, Bonanza is at about 22 percent of capacity and Decatur is at about 87 percent of capacity. With this project, Bonanza is expected to be at about 23 percent of capacity and Decatur is expected to remain at about 87 percent of capacity.

Based on Peak Hour use, this development will add into the area roughly 18 additional cars, or about one every three minutes.

Note that this report assumes all traffic from this development uses all named streets.

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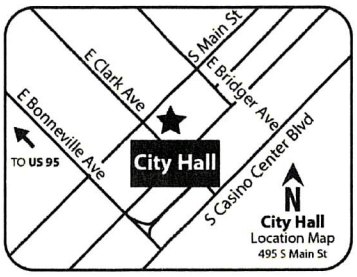

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-75822 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930316013
NAPOLEON JOHN J SR & DOLORES
4417 ST ANDREWS CIR
LAS VEGAS NV 89107-2075

97 BRDFMP1 89107

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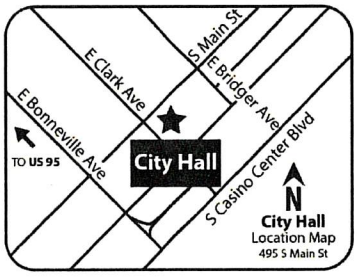

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SDR-75822 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930316011
RODRIGUEZ MARIA V
ROJAS-MORALES RENGI R
4425 SAINT ANDREWS CIR
LAS VEGAS NV 89107-2075

Maria V Rodriguez
702 9782595

97 BRDFMP1 89107

City of Las Vegas
Office of The City Clerk
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Las Vegas, Nevada 89101

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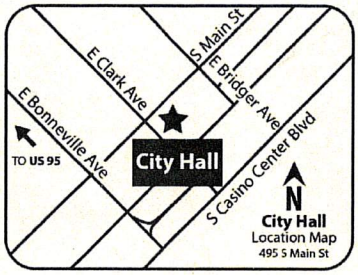

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SDR-75822 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930316022
JONES KIMBERLY
619 HOGAN DR
LAS VEGAS NV 89107

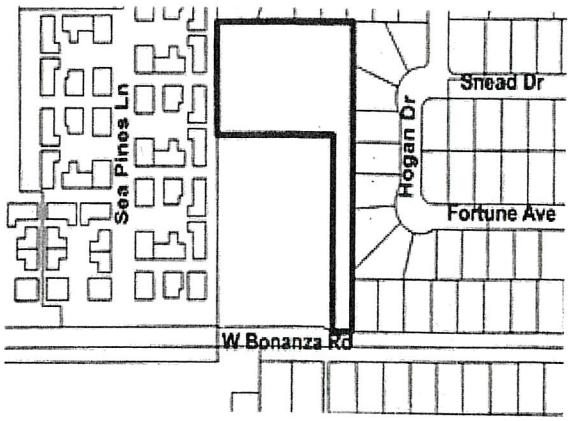
97 BRDFNP1 89107

Application Information

SDR-75822 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-75819, VAR-75820 AND VAR-75821 - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 18-UNIT RESIDENTIAL SUBDIVISION on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

47 11

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	05/15/19
Location:	City Council Chambers 495 South Main St, 2nd Fl. Las Vegas, Nevada
Not to be heard before:	11:00AM

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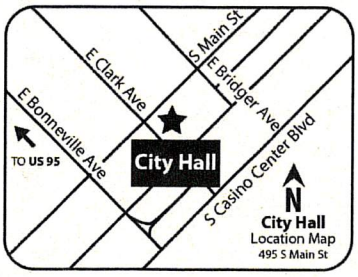

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

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SDR-75822 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930311006
FLECKENSTEIN ALICE A & LISA L
729 SPYGLASS LN
LAS VEGAS NV 89107-2051

97 BRDFNP1 89107

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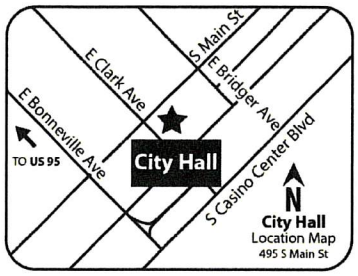

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-75822 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411029
RIGGS WILLIAM V & MARY LYNN
404 HORN ST
LAS VEGAS NV 89107-2118

97 BRDFNP1 89107

City of Las Vegas
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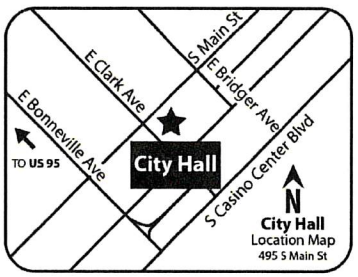

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SDR-75822 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930410032
CROPPER ANN K & DARYL M REV TR
CROPPER ANN K & DARYL M TRS
413 HORN ST
LAS VEGAS NV 89107-2121

97 BRDFNP1 89107

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Office of The City Clerk
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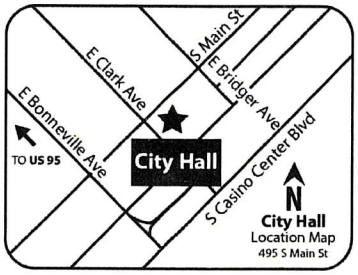

PRJ-75700
13930411028
WOLFRAM MARILOU
400 HORN ST
LAS VEGAS NV 89107

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-75822 [PRJ-75700]

City Council Meeting of **05/15/19**

5 [illegible]

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Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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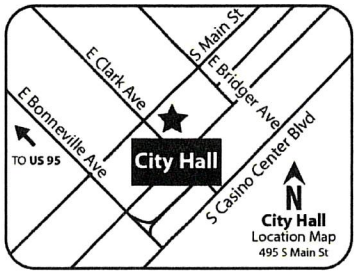

PRJ-75700
13930411001
CHURCHILL FAMILY TRUST
CHURCHILL CHARLES E & JANET TRS
409 HORN ST
LAS VEGAS NV 89107-2121

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SDR-75822 [PRJ-75700]

City Council Meeting of **05/15/19**

97 BRDFNP1 89107

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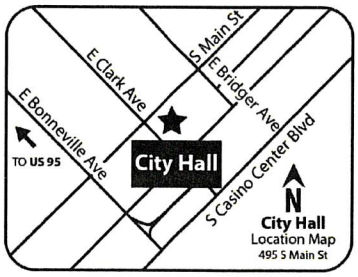

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SDR-75822 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411003
ANKENMAN CHARLES H & DORIS
401 HORN ST
LAS VEGAS NV 89107-2121

97 BRDFNP1 89107

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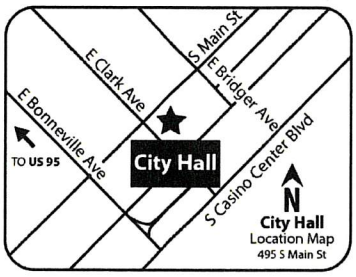

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SDR-75822 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411002
BUFALINO CHARLES J & KAROL A
405 HORN ST
LAS VEGAS NV 89107-2121

97 BRDFNP1 89107

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Office of The City Clerk
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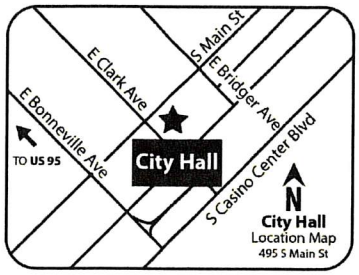
2019 MAY -8 P 12:21



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-75822 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930410011
SCHEELER IRREVOCABLE TRUST
BOTT MARION J TRS
4317 W BONANZA RD
LAS VEGAS NV 89107-2107

97 BRDFNP1 89107

City of Las Vegas
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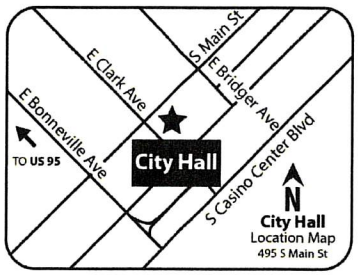

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SDR-75822 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411021
RUSINSKI GLENN E & WENDY L
212 MOLLER CIR
LAS VEGAS NV 89107-2128

Submitted after final agenda

Item 97

97 BRDFNP1 89107

5

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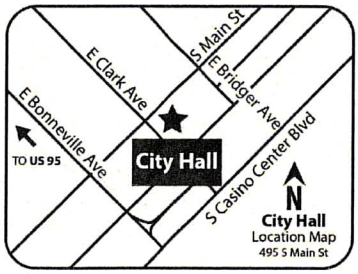

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SDR-75822 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930322017
WILCOX GARY & DIANNA
827 SEA PINES LN
LAS VEGAS NV 89107-2065

97 BRDFNP1 89107

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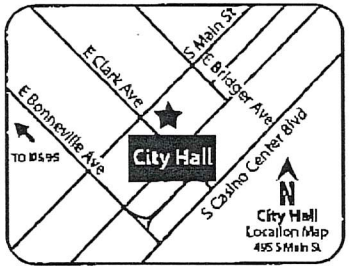

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SDR-75822 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930316035
ANDERSON DAGMAR M
712 HOGAN DR
LAS VEGAS NV 89107-2084

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No. 6902 P. 1

May. 7. 2019 6:18PM

City Council Page 1336

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Item 97

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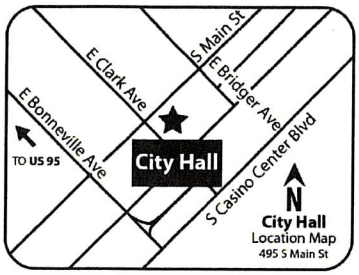

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SDR-75822 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930412025
FLEMING JOSEPH L & BARBARA E
408 ESTELLA AVE
LAS VEGAS NV 89107-2105

97 BRDFNP1 89107

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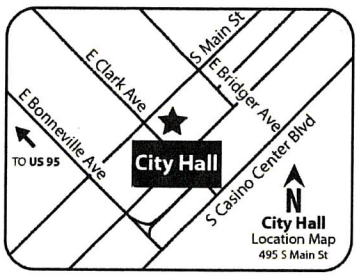

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SDR-75822 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930412026
BINGHAM 1994 TRUST
BINGHAM FRANK E & F P CO-TRS
412 ESTELLA AVE
LAS VEGAS NV 89107-2105

Submitted after final agenda
Item 97

97 BRDFNP1 89107

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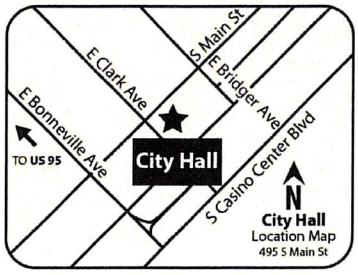

PRJ-75700
13930412011
BRAVARD CHARLES & LEONE
201 MOLLER CIR
LAS VEGAS NV 89107

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-75822 [PRJ-75700]
City Council Meeting of **05/15/19**

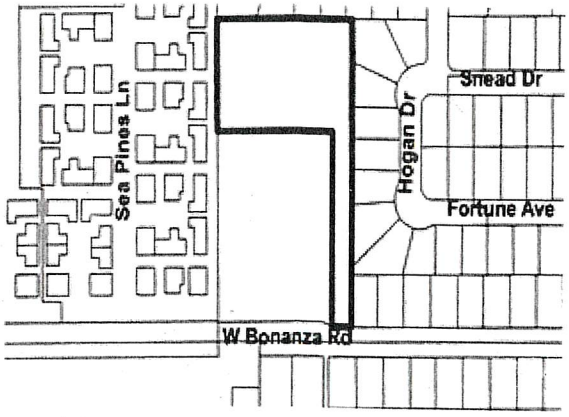
97 BRDFNP1 89107

Application Information

SDR-75822 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-75819, VAR-75820 AND VAR-75821 - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 18-UNIT RESIDENTIAL SUBDIVISION on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

↑ traffic will cause pedestrians, bicycles lanes to be @ risk.

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	05/15/19
Location:	City Council Chambers 495 South Main St, 2nd Fl. Las Vegas, Nevada
Not to be heard before:	11:00AM

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 2nd Floor, City Hall, 495 South Main Street, Las Vegas, Nevada, 89101. For further information, go to www.lasvegasnevada.gov or call (702) 229-6311 (TTY 7-1-1). **Note that postcards and comments received after an agenda posts will not be reflected online until after the meeting; however, the comments are made available to the members of the governing body for their consideration prior to the meeting.**

Submitted after final agenda
Item 97

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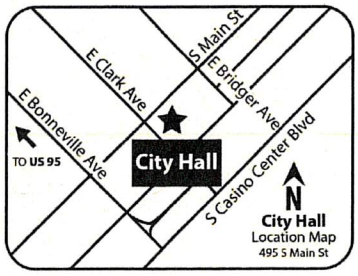

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

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SDR-75822 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930311027
RHODES MICHAEL LEE
3714 STARGAZER AVE
SAN PEDRO CA 90732

2 BRDFNP1 90732

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Item 97

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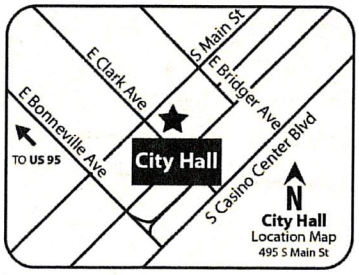

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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SDR-75822 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930301006
DANA DEVELOPMENT L L C
NATIONAL FACILITIES CORP
660 N DECATUR BLVD
LAS VEGAS NV 89107-1918

97 BRDFNP1 89107

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Item 97

City of Las Vegas
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NV 890
07 MAY '19
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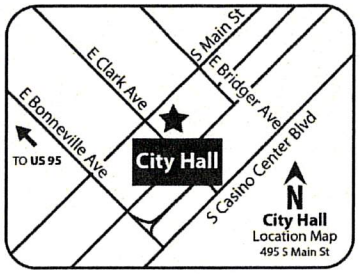

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-75822 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930318019
GROPPENBACHER JONATHAN & SHANNA
816 FAIRWAY DR
LAS VEGAS NV 89107

97 BRDFNP1 89107

Submitted after final agenda
Item 97

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
82

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
TMP-75823 - TENTATIVE MAP RELATED TO VAR-75819, VAR-75820, VAR-75821 AND SDR-75822 - MONTAGE ESTATES - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Tentative Map FOR A THREE-LOT RESIDENTIAL SUBDIVISION on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	4	Planning Commission Mtg.	0
City Council Meeting	18	City Council Meeting	5

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend DENIAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation
3. Protest/Support Postcards
4. Backup Submitted from the May 15, 2019 City Council Meeting
5. Backup Submitted at the April 9, 2019 Planning Commission Meeting

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

Print Form

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) TENTATIVE MAP / WAIVER OF STANDARDS

Project Address (Location) North side of Bonanza Road approximately 1630 ft east of intersection of Decatur Blvd.

Project Name Montage Estates **Proposed Use** R-2 (Residential Condos)

Assessor's Parcel #(s) 139-30-306-003 **Ward #** 5 - Cedric Crear

General Plan: Existing ML Proposed _____ **Zoning:** Existing R-2 Proposed _____

Additional Information R-2 Zoning Requires 6500 sq.ft. lots and a maximum of 6-12 dwelling units per lot. In light of this aspect, a parcel map will subdivide into 2 lots, then a condo map for 10 units on Lot 1 and a condo map for 8 units on Lot 2. A total of 3 maps.

Property Owner SK USA, LLC Contact George Varhelyi
Address 7345 S. Durango Drive, Suite B107-140 City Las Vegas State NV Zip 89113
E-mail GV23lasvegas@gmail.com Phone (702) 461-6847

Applicant SK USA, LLC Contact Csaba Meiszburger
Address 7345 S. Durango Drive, Suite B107-140 City Las Vegas State NV Zip 89113
E-mail CsabaMeiszburger@me.com Phone (702) 237-4070

Representative SK USA, LLC. Contact Csaba Meiszburger
Address 7345 S. Durango Drive, Suite B107-140 City Las Vegas State NV Zip 89113
E-mail CsabaMeiszburger@me.com Phone (702) 237-4070

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company? ☐ Yes ☐ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official _____ **Partner(s)** _____

Partner(s) _____

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature GVarhelyi
An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name GEORGE VARHELYI

Subscribed and sworn before me State of Nevada County of Clark

This 22nd day of January 20 19

Jim Liaos
Notary Public in and for said County and State

JIM LIAOS
Notary Public - State of Nevada
County of Clark
APPT. NO. 07-1102-1
My App. Expires Dec. 29, 2022

PRJ-75700
02/19/19

DEPARTMENT OF PLANNING

TENTATIVE MAP APPLICATION CHECKLIST

The following information/data shall be submitted with each tentative map application:

A. Tentative Map Contents

- [x] 1. Name of the proposed subdivision.
- [x] 2. Names, addresses and phone numbers of owner, subdivider and surveyor or engineer.
- [x] 3. A legend which denotes the meaning of all the symbols used and which includes the date, north arrow and scale.
- [x] 4. A location map giving sufficient legal description to describe tract boundaries and relationships to surrounding areas and existing public streets.
- [x] 5. Identification of adjoining properties.
- [x] 6. Existing topography (obtained by actual survey at one (1) foot contours (based on city datum) on site and within one hundred fifty (150) feet of the proposed subdivision (except for the interior of existing subdivisions within one hundred, fifty (150) feet). The Department of Public Works may require larger contour intervals for large tracts.
- [x] 7. Existing structures and other physical features.
- [x] 8. Existing and proposed lot lines and dimensions. Each proposed lot shall be numbered in sequence, and each block shall be numbered or lettered. Letters may be used to identify common lots.
- [x] 9. Existing and proposed street right of way widths, grades (with the direction of drainage indicated) and corner radii.
- [x] 10. Existing and proposed street names.
- [x] 11. Except for commercial subdivisions, existing and proposed street addresses or address ranges for each block, in accordance with the City's street addressing regulations.
- [x] 12. Locations and widths of existing and proposed utility rights-of-way and easements.
- [x] 13. Locations and widths of existing and proposed irrigation or drainage ditch rights-of-way and easements.
- [x] 14. Existing and proposed storm drains.
- [x] 15. Proposed sanitary sewer systems, showing pipe sizes, manholes, direction of flow and point of connection to existing facilities.
- [x] 16. Existing and proposed potable water mains and, for subdivisions to be supplies by wells, the location, pressure and capacity of such wells, and the potential population capable of being served by such wells. The wells must be authorized under State certificate.
- [ ] 17. Proposed reservations or dedications for parks, trails, open spaces, schools, or other public or quasi public uses.

PZD

PRJ-75700
03/04/19

Updated 7/26/2012

☒ 18. Existing street names, rights of way and pavement widths for streets within one hundred fifty (150) feet of the proposed subdivision. "MONTAGE" ?

☒ 19. If required, an Impact Statement in accordance with LVMC 19.16.010 (E) and a Traffic Management Plan.

☐ 20. Note on the map indicating whether streets, drainage corridors, sewer corridors, parks, trails, open spaces and schools are to be public or private.

☒ 21. Note on the map that above ground utility boxes shall not be placed within trail corridors, if trail areas are designated on the map.

B. Supplemental Information

The following supplemental information may be required by the Department of Public Works or the Department of Planning. When required, it shall be submitted on separate drawings or sheets.

☒ 1. A Traffic Impact Analysis, Single Subdivision Access Report, or Master Driveway and Onsite Circulation Plan, prepared in accordance with City standards or as directed by the City Traffic Engineer. NO

☐ 2. Development Impact Notice and Assessment (DINA) per LVMC 19.16.010 (E) of the Unified Development Code (refer to the pre-application checklist). P&D

☒ 3. Any proposed deviations from City standards (refer to the pre-application checklist).

☐ 4. A copy of the deed for the property (refer to the pre-application checklist).

☒ 5. Whenever, on the perimeter of a project, walls are proposed which (1) face a public street or adjoining property not in common ownership; (2) are within a single plane and are not separated by landscaping; and (3) exceed the maximum acceptable wall heights indicated in Title 19 or other applicable Master Plan, the applicant shall submit three copies of a plan or proposed perimeter grades which indicates all such walls. This plan may be super imposed on the tentative map but must be legible. The plan shall include cross sections of all sections of the project perimeter with walls which exceed the heights indicated in above. P&D

☐ 6. If applicable, a letter indicating that an in-lieu-of park is proposed. P&D

Department of Public Works Signature: Roger Bailey

Date: 3/4/19

PRJ-75700
03/04/19

DEPARTMENT OF PLANNING

DATE:

City of Las Vegas
Department of Planning
333 North Rancho Drive
Las Vegas, NV 89106

RE: PROJECT NAME
Tentative Map Election to Follow Alternative Procedure and Consent to Extension of Time Limit

To whom it may concern:

GEORGE VARHELYI (Subdivider) hereby elects to follow the alternative procedure for tentative map processing set forth in LVMC 19.16.050(C)(4). In so doing, Subdivider acknowledges that this election and the City's acceptance of a tentative map application as complete shall be deemed to constitute the mutual consent of the City and Subdivider to extend the time limits set forth in NRS 278.350 for the City to act and report on a tentative map. Subdivider also acknowledges that final action on the map may not occur until final action has been taken on any related zoning application, site development plan review, or both. Subdivider has elected the alternative procedure to facilitate the ability of the tentative map to be heard concurrently with any and all associated land use entitlements.

If any question or concerns arise from this request please contact JOHN HAMILTON at (702)-580-3658. Thank you.

Sincerely,

(Signature)

GEORGE VARHELYI
(Print)

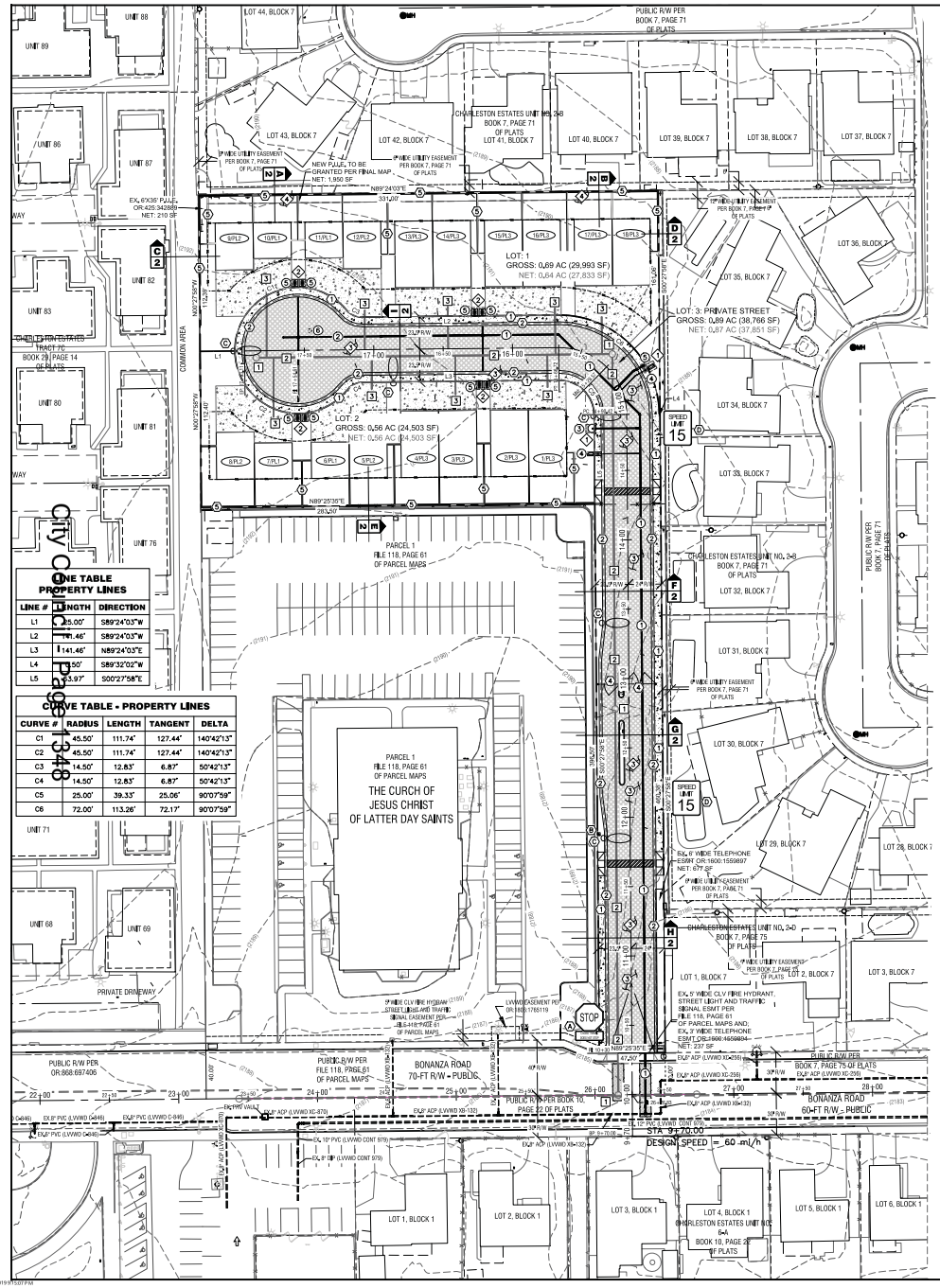
State of Nevada
County of Clark
Subscribed and sworn before me

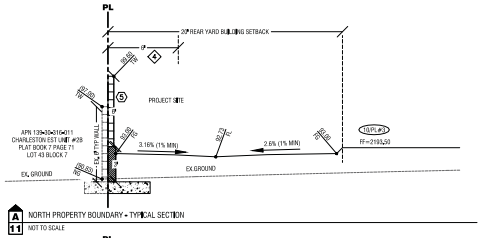
This 4th day of February, 2019.

Notary Public in and for said County and State

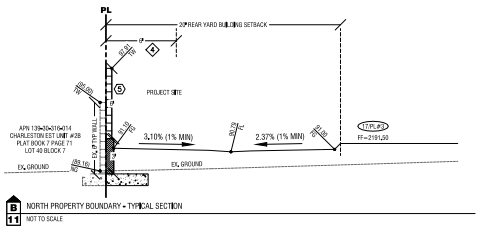
JIM LIAOS
Notary Public - State of Nevada
County of Clark
APPT. NO. 07-1102-1
My App. Expires Dec. 29, 2022

PRJ-75700
02/19/19

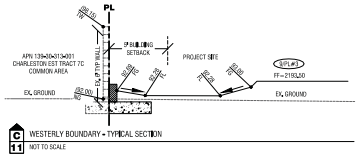

LOT 44, BLOCK 7
LOT 43, BLOCK 7
LOT 42, BLOCK 7
LOT 41, BLOCK 7
LOT 40, BLOCK 7
LOT 39, BLOCK 7
LOT 38, BLOCK 7
LOT 37, BLOCK 7
LOT 36, BLOCK 7
LOT 35, BLOCK 7
LOT 34, BLOCK 7
LOT 33, BLOCK 7
LOT 32, BLOCK 7
LOT 31, BLOCK 7
LOT 30, BLOCK 7
LOT 29, BLOCK 7
LOT 28, BLOCK 7
LOT 1: GROSS: 0.69 AC (29,993 SF) NET: 0.64 AC (27,833 SF)
LOT 2: GROSS: 0.56 AC (24,503 SF) NET: 0.56 AC (24,503 SF)
LOT 3: PRIVATE STREET GROSS: 0.89 AC (38,766 SF) NET: 0.87 AC (37,851 SF)
PARCEL 1 FILE 118, PAGE 61 OF PARCEL MAPS
THE CURCH OF JESUS CHRIST OF LATTER DAY SAINTS
CHARLESTON ESTATES UNIT NO. 2-A BOOK 7, PAGE 71 OF PLATS
CHARLESTON ESTATES UNIT NO. 2-B BOOK 7, PAGE 75 OF PLATS
CHARLESTON ESTATES UNIT NO. 3 BOOK 10, PAGE 28 OF PLATS
PUBLIC R/W PER BOOK 7, PAGE 71 OF PLATS
PUBLIC R/W PER BOOK 7, PAGE 75 OF PLATS
PUBLIC R/W PER FILE 118, PAGE 61 OF PARCEL MAPS
BONANZA ROAD 70-FT R/W - PUBLIC
BONANZA ROAD 60-FT R/W - PUBLIC
PUBLIC R/W PER BOOK 16, PAGE 22 OF PLATS
PRIVATE DRIVEWAY
STOP
SPEED LIMIT 15
STA 9+70.00
DESIGN SPEED = 60 mi/h
NEW P.U.E., TO BE GRANTED PER FINAL MAP
EX. 6"X36" PULE OR:425:342880 NET: 210 SF
EX. 8" SS (LVWD C-848)
EX. 12" DIP (LVWD CONT 570)
EX. 8" PVC (LVWD C-848)
EX. 8" DIP (LVWD CONT 570)
EX. 8" PVC (LVWD C-848)
EX. 8" PVC (LVWD C-848)
EX. 8" PVC (LVWD C-848



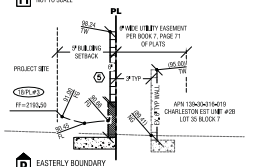
A 11 NORTH PROPERTY BOUNDARY - TYPICAL SECTION
NOT TO SCALE



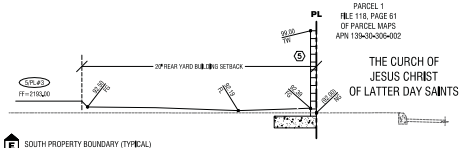
B 11 NORTH PROPERTY BOUNDARY - TYPICAL SECTION
NOT TO SCALE



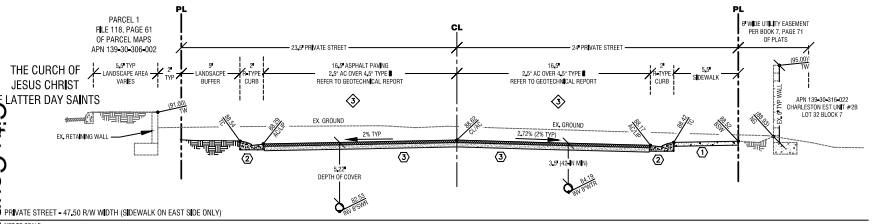
C 11 WESTERLY BOUNDARY - TYPICAL SECTION
NOT TO SCALE



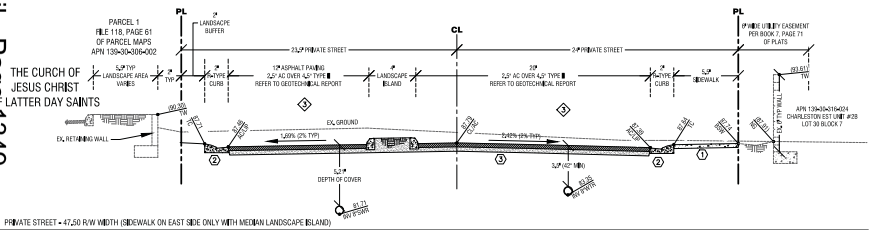
D 11 EASTERLY BOUNDARY
NOT TO SCALE



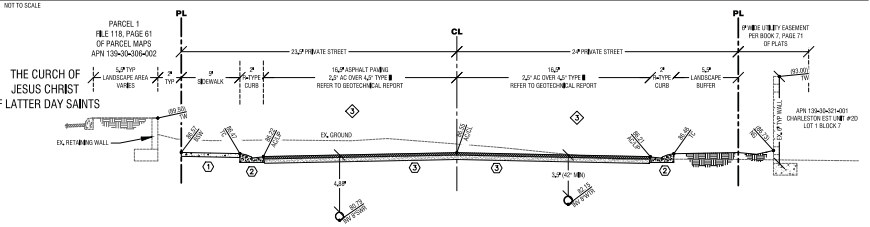
E 11 SOUTH PROPERTY BOUNDARY (TYPICAL)
NOT TO SCALE



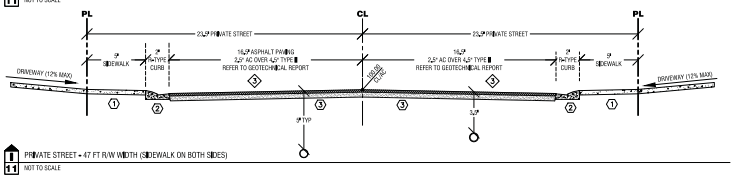
F 11 PRIVATE STREET - 47.50 R/W WIDTH (SIDEWALK ON EAST SIDE ONLY)
NOT TO SCALE



G 11 PRIVATE STREET - 47.50 R/W WIDTH (SIDEWALK ON EAST SIDE ONLY WITH MEDIAN LANDSCAPE ISLAND)
NOT TO SCALE



H 11 PRIVATE STREET - 47.50 R/W WIDTH (SIDEWALK ON WEST SIDE ONLY)
NOT TO SCALE



I 11 PRIVATE STREET - 47 FT R/W WIDTH (SIDEWALK ON BOTH SIDES)
NOT TO SCALE

EASEMENT / DEDICATION NOTES: ◇ SYMBOL

1. 6-FT X 6-FT WATER EASEMENT TO BE GRANTED TO THE LAS VEGAS VALLEY WATER DISTRICT BY SEPARATE DOCUMENT.
2. 6-FT X 10-FT WATER EASEMENT TO BE GRANTED TO THE LAS VEGAS VALLEY WATER DISTRICT BY SEPARATE DOCUMENT.
3. PRIVATE STREET EASEMENT, UTILITY EASEMENT, DRAINAGE EASEMENT, AND CITY OF LAS VEGAS PUBLIC SEWER EASEMENT PER FINAL MAP TO BE PRIVATELY MAINTAINED
4. 6-FT WIDE POWER EASEMENT ALONG NORTH BOUNDARY TO BE GRANTED TO NEVADA ENERGY PER FINAL MAP TO BE PRIVATELY MAINTAINED

CONSTRUCTION NOTES: ⓧ SYMBOL

1. PROVIDE MINIMUM 5-FT WIDE SIDEWALK PER USDCCA STD DWG #234
2. CONSTRUCT R-TYPE CURB AND GUTTER PER USDCCA STD DWG #217.3.S1
3. CONSTRUCT CUL-DE-SAC AND PRIVATE STREET PER USDCCA STD DWG #212. REFER TO DEVIATION FROM STANDARDS ON SHEET C2.
   3.1. CUL-DE-SAC AND PRIVATE STREET: 2.5 INCHES AC OVER 4.5 TYPE II
4. PROVIDE ACCESS CONTROL GATES TO COMPLY WITH TITLE 19.04.230
5. CONSTRUCT 6-FT CMU SCREEN WALL IN AREAS WHERE RETAINING WALLS ARE REQUIRED, MAXIMUM RETAINING HEIGHT VARIES UP TO 3-FT AND THE TOTAL WALL HEIGHT SHALL NOT EXCEED 9-FT.
   5.1. A SIX (6) FOOT HIGH REDUNDANT WALL SHALL BE CONSTRUCTED AS A BUFFER WHEN REQUIRED. THE SEPARATION BETWEEN THE WALLS SHALL BE FOUR (4) INCHES OR LESS. THE AREA BETWEEN THE WALLS SHALL BE KEPT FREE OF DEBRIS AND WEEDS.

811 Call before you Dig.
1-800-227-2600
AVOID CUTTING UNDERGROUND UTILITY LINES. IT'S COSTLY.

AVOID HITTING OVERHEAD POWER LINES. IT'S COSTLY.
Call before you Crane Overhead
702-227-2929

ELEVATION NOTE:
ADD 2100-FT TO ALL GRADE ELEVATION TAGS SHOWN ON PLANS.

JOHN R. HAMILTON ENTERPRISES, INC.
UTILITY NOTE:
JOHN R. HAMILTON ENTERPRISES, INC. ASSUMES NO RESPONSIBILITY FOR EXISTING UTILITY LOCATIONS. THE UTILITIES SHOWN ON THIS DRAWING HAVE BEEN PLOTTED FROM THE BEST AVAILABLE INFORMATION. IT IS, HOWEVER, THE CONTRACTOR'S RESPONSIBILITY TO FIELD VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION. THE CONTRACTOR IS TO FIELD VERIFY ALL EXISTING SITE CONDITIONS PRIOR TO CONSTRUCTION. IF A CONFLICT EXISTS BETWEEN WHAT IS SHOWN ON THIS DRAWING AND WHAT EXISTS IN THE FIELD, THE CONTRACTOR IS TO NOTIFY THE ENGINEER IMMEDIATELY.

PRJ-75700
03/14/19

REV	DATE	BY	DESCRIPTION

SK USA, LLC.
7345 SOUTH DURANGO DRIVE #B107-140 • LAS VEGAS • NEVADA • 89113
PH: (702) 237-4070 CONTACT: CSABA MEISZBURGER

JOHN R. HAMILTON ENTERPRISES, INC.
9345 PEBBLE CREEK AVENUE LAS VEGAS, NEVADA 89143
PH: (702) 580-3658 — WWW.JRHAMILTONENTERPRISES.COM

SHEET: TENTATIVE MAP DETAILS AND CROSS SECTIONS
PROJECT: MONTAGE ESTATES
RESIDENTIAL SUBDIVISION
CITY OF LAS VEGAS, NEVADA 89107
APN 139-30-306-003

PRINTED: 03-12-2019
SUBMITTAL

PROJECT NO. 17-400-001
HORZ: N/A
VERT: N/A

REGISTERED PROFESSIONAL ENGINEER — JOHN R. HAMILTON — No. 015170 — Exp: 06/30/2019 — CIVIL — STATE OF NEVADA — 3/14/19

FIRE DEPARTMENT	N/A
TRAFFIC STDY	N/A
DRAINAGE STDY	N/A
SOILS REPORT	N/A
LVVWD	N/A
CLV HANDBK	N/A

CLV DWG #

PAGE: 2 T2 OF 2 SHEETS

City Council - Page 1349

1/2019 8:58:07 PM

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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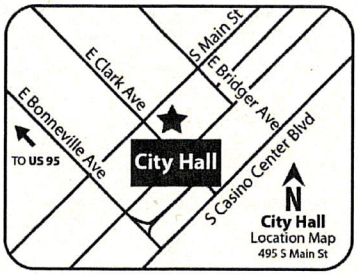


If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

TMP-75823 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930410032
CROPPER ANN K & DARYL M REV TR
CROPPER ANN K & DARYL M TRS
413 HORN ST
LAS VEGAS NV 89107-2121

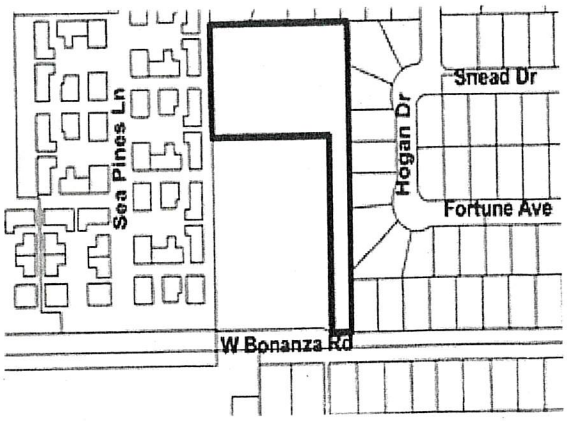
97 BRDFNP1 89107

Application Information

TMP-75823 - TENTATIVE MAP RELATED TO VAR-75819, VAR-75820, VAR-75821 AND SDR-75822 - MONTAGE ESTATES - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Tentative Map FOR A THREE-LOT RESIDENTIAL SUBDIVISION on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

If this means (3) single-residence lots, then we support. If that's not what it means, then we do NOT support it.

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	05/15/19
Location:	City Council Chambers 495 South Main St, 2nd Fl. Las Vegas, Nevada
Not to be heard before:	11:00AM

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 2nd Floor, City Hall, 495 South Main Street, Las Vegas, Nevada, 89101. For further information, go to www.lasvegasnevada.gov or call (702) 229-6311 (TTY 7-1-1). **Note that postcards and comments received after an agenda posts will not be reflected online until after the meeting; however, the comments are made available to the members of the governing body for their consideration prior to the meeting.**

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Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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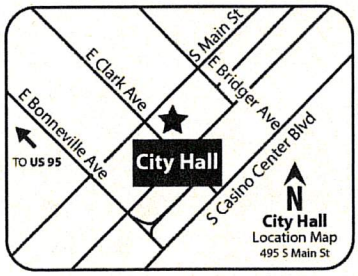

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

TMP-75823 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411029
RIGGS WILLIAM V & MARY LYNN
404 HORN ST
LAS VEGAS NV 89107-2118

97 BRDFNP1 89107

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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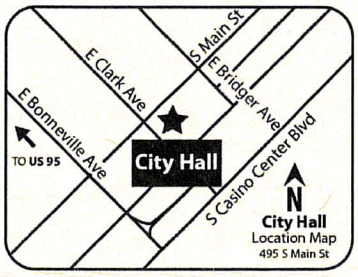

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

TMP-75823 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930311006
FLECKENSTEIN ALICE A & LISA L
729 SPYGLASS LN
LAS VEGAS NV 89107-2051

97 BRDFNP1 R

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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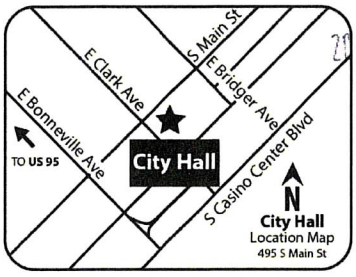

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

TMP-75823 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411001
CHURCHILL FAMILY TRUST
CHURCHILL CHARLES E & JANET TRS
409 HORN ST
LAS VEGAS NV 89107-2121

97 BRDFNP1 89107

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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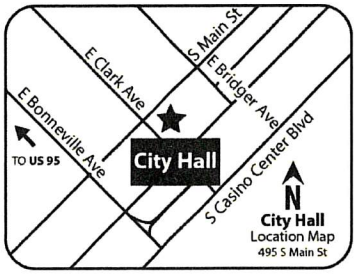

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

TMP-75823 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411028
WOLFRAM MARILOU
400 HORN ST
LAS VEGAS NV 89107

97 BRDFNP1 89107

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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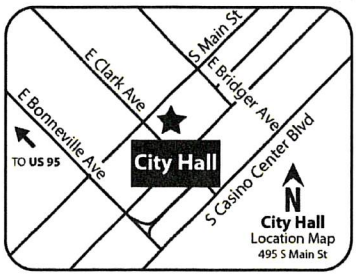

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☐ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

TMP-75823 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411002
BUFALINO CHARLES J & KAROL A
405 HORN ST
LAS VEGAS NV 89107-2121

97 BRDFNP1 89107

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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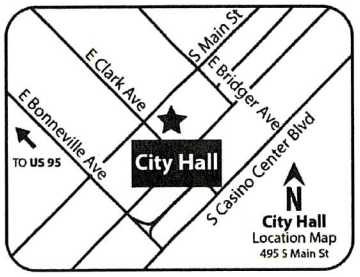
2019 MAY 20 P 12:48



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

TMP-75823 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411003
ANKENMAN CHARLES H & DORIS
401 HORN ST
LAS VEGAS NV 89107-2121

97 BRDFNP1 89107

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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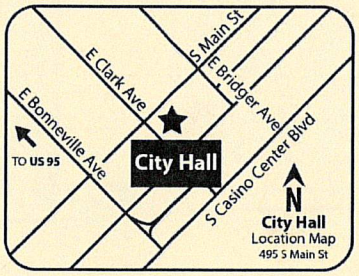

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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TMP-75823 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930316022
JONES KIMBERLY
619 HOGAN DR
LAS VEGAS NV 89107

97 BRDFNP1 89107

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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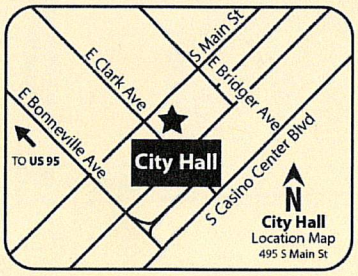

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TMP-75823 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930316013
NAPOLEON JOHN J SR & DOLORES
4417 ST ANDREWS CIR
LAS VEGAS NV 89107-2075

97 BRDFNP1 89107

City of Las Vegas
Department of Planning
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333 North Rancho Drive, 3rd Floor
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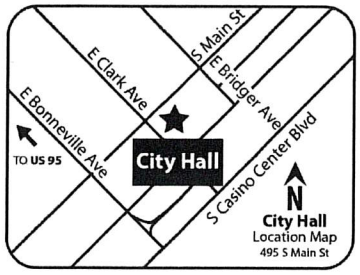

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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TMP-75823 [PRJ-75700]
Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930411003
ANKENMAN CHARLES H & DORIS
401 HORN ST
LAS VEGAS NV 89107-2121

97 BRDGNP1 89107

City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

LAS VEGAS NV 890
08 APR 2019 PM 4 L



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TMP-75823 [PRJ-75700]
Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930410011
SCHEELER IRREVOCABLE TRUST
BOTT MARION J TRS
4317 W BONANZA RD
LAS VEGAS NV 89107-2107

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TMP-75823 [PRJ-75700]

Planning Commission Meeting of **04/09/2019**

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City of Las Vegas

PRJ-75700
13930410032
CROPPER ANN K & DARYL M REV TR
CROPPER ANN K & DARYL M TRS
413 HORN ST
LAS VEGAS NV 89107-2121

97 BRDGNP1 89107

City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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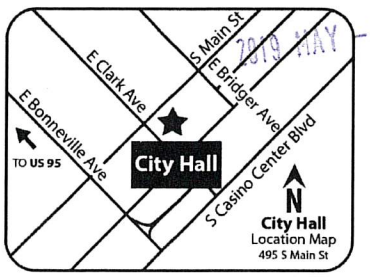

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☒ I OPPOSE this Request

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TMP-75823 [PRJ-75700]

Planning Commission Meeting of **04/09/2019**

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City of Las Vegas

PRJ-75700
13930411002
BUFALINO CHARLES J & KAROL A
405 HORN ST
LAS VEGAS NV 89107-2121

97 BRDGNP1 89107

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Department of Planning
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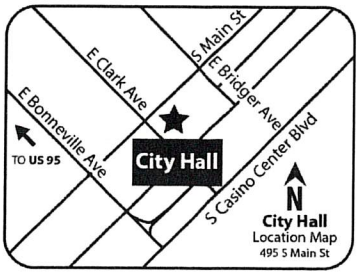

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TMP-75823 [PRJ-75700]

Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930306003
S K USA L L C
6725 DUNRAVEN AVE
LAS VEGAS NV 89139

113 BRDGNP1 89139

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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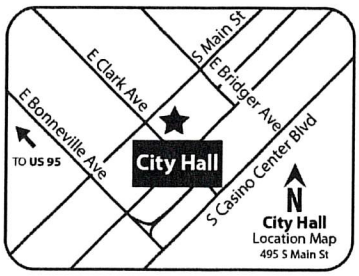

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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TMP-75823 [PRJ-75700]

Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930411001
CHURCHILL FAMILY TRUST
CHURCHILL CHARLES E & JANET TRS
409 HORN ST
LAS VEGAS NV 89107-2121

97 BRDGNP1 89107

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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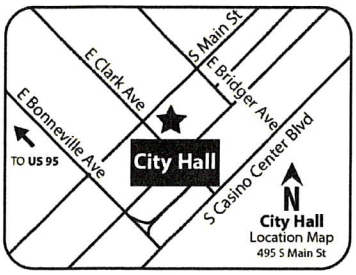

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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TMP-75823 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930411021
RUSINSKI GLENN E & WENDY L
212 MOLLER CIR
LAS VEGAS NV 89107-2128

97 BRDFNP1 89107

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Office of The City Clerk
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Las Vegas, Nevada 89101

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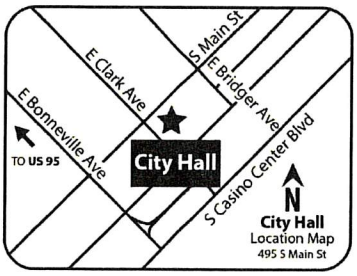

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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TMP-75823 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930410011
SCHEELER IRREVOCABLE TRUST
BOTT MARION J TRS
4317 W BONANZA RD
LAS VEGAS NV 89107-2107

Submitted after final agenda
Item 98

97 BRDFNP1 89107

City of Las Vegas
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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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TMP-75823 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930316035
ANDERSON DAGMAR M
712 HOGAN DR
LAS VEGAS NV 89107-2084

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Item 98

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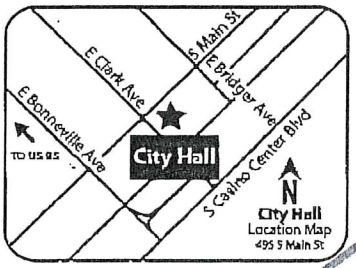

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-75821 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930316035
ANDERSON DAGMAR M
712 HOGAN DR
LAS VEGAS NV 89107-2084

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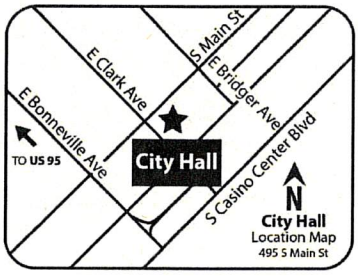

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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TMP-75823 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930412025
FLEMING JOSEPH L & BARBARA E
408 ESTELLA AVE
LAS VEGAS NV 89107-2105

97 BROFNP1 89107

Submitted after final agenda

Item 98

City of Las Vegas
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Las Vegas, Nevada 89101

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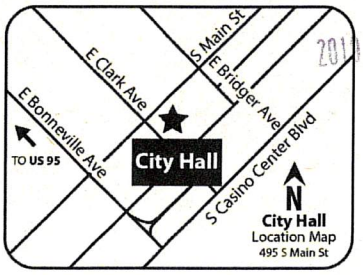

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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TMP-75823 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930412011
BRAVARD CHARLES & LEONE
201 MOLLER CIR
LAS VEGAS NV 89107

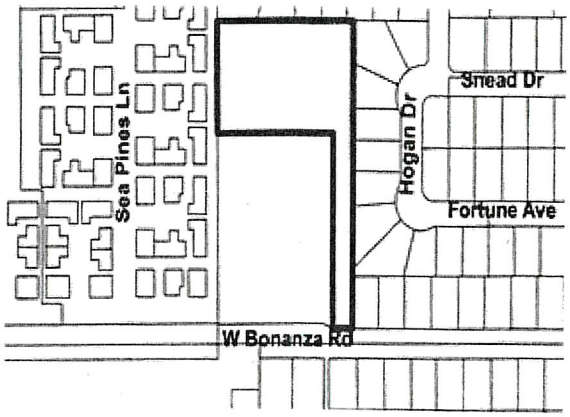
97 BRDFNP1 89107

Application Information

TMP-75823 - TENTATIVE MAP RELATED TO VAR-75819, VAR-75820, VAR-75821 AND SDR-75822 - MONTAGE ESTATES - PUBLIC HEARING - APPLICANT/OWNER: SK USA, LLC - For possible action on a request for a Tentative Map FOR A THREE-LOT RESIDENTIAL SUBDIVISION on 2.14 acres on the north side of Bonanza Road, approximately 1,550 feet east of Decatur Boulevard (APN 139-30-306-003), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Crear) [PRJ-75700]. The Planning Commission (6-0 vote) and Staff recommend DENIAL.

There is already too much congestion in this area, many highschoolers walk home in this area & will be @ risk by traffic.

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	05/15/19
Location:	City Council Chambers 495 South Main St, 2nd Fl. Las Vegas, Nevada
Not to be heard before:	11:00AM

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 2nd Floor, City Hall, 495 South Main Street, Las Vegas, Nevada, 89101. For further information, go to www.lasvegasnevada.gov or call (702) 229-6311 (TTY 7-1-1). **Note that postcards and comments received after an agenda posts will not be reflected online until after the meeting; however, the comments are made available to the members of the governing body for their consideration prior to the meeting.**

City of Las Vegas
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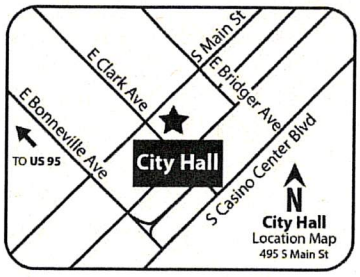

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

TMP-75823 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930311027
RHODES MICHAEL LEE
3714 STARGAZER AVE
SAN PEDRO CA 90732

2 BRDFNP1 90732

Submitted after final agenda
Item 98

City of Las Vegas
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Las Vegas, Nevada 89101

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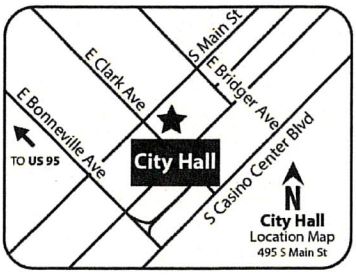

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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TMP-75823 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930301006
DANA DEVELOPMENT L L C
NATIONAL FACILITIES CORP
660 N DECATUR BLVD
LAS VEGAS NV 89107-1918

97 BRDFNP1 89107

Submitted after final agenda
Item 98

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

LAS VEGAS
NV 890
07 MAY '19
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2019 MAY 13 P 4:30

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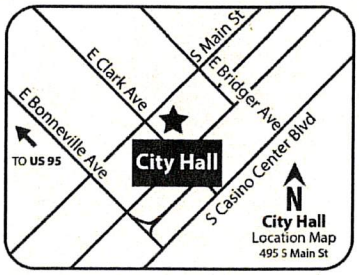

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

TMP-75823 [PRJ-75700]
City Council Meeting of **05/15/19**

PRJ-75700
13930318019
GROPPENBACHER JONATHAN & SHANNA
816 FAIRWAY DR
LAS VEGAS NV 89107

97 BRDPNP1 89107

Submitted after final agenda
Item 98

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

TMP-75823 [PRJ-75700]

Planning Commission Meeting of **04/09/2019**

PRSRT
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Las Vegas, NV
Permit No. 1630

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APR 0 9 2019
Dept of Planning
City of Las Vegas

PRJ-75700
13930316035
ANDERSON DAGMAR M
712 HOGAN DR
LAS VEGAS NV 89107-2084

97 BRDGNP1 89107

36P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

3 Story is Too much. This is a 2 Story Neighborhood Not 3

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Las Vegas, NV
Permit No. 1630

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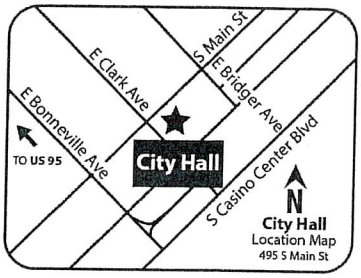
Official Notice of Public Hearing



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MAR 0 2 2019
Dept of Planning
City of Las Vegas

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TMP-75823 [PRJ-75700]

Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930315012
WINSLOW DENIS L
4409 THOMPSON CIR
LAS VEGAS NV 89107-2076

97 BRDGNP1 89107

36P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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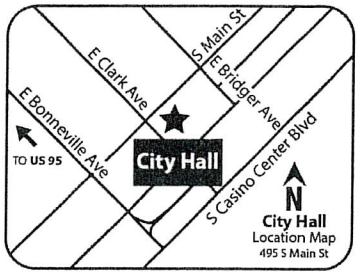

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Dept of Planning
City of Las Vegas

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☒ I OPPOSE this Request

Please use available blank space on card for your comments.

TMP-75823 [PRJ-75700]

Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930316005
WINSLOW DENIS L & MYRNA L
4408 ST ANDREWS CIR
LAS VEGAS NV 89107-2024

97 BRDGNP1 89107

36P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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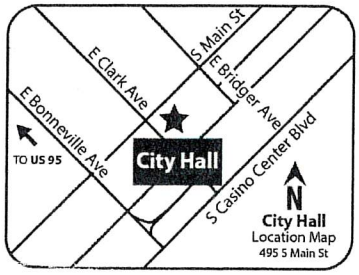
Las Vegas, NV
Permit No. 1630

Return Service Requested
Official Notice of Public Hearing



RECEIVED
APR 04 2019
Dept of Planning
City of Las Vegas

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

TMP-75823 [PRJ-75700]

Planning Commission Meeting of **04/09/2019**

PRJ-75700
13930322017
WILCOX GARY & DIANNA
827 SEA PINES LN
LAS VEGAS NV 89107-2065

97 BRDGNP1 89107

36P

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
83

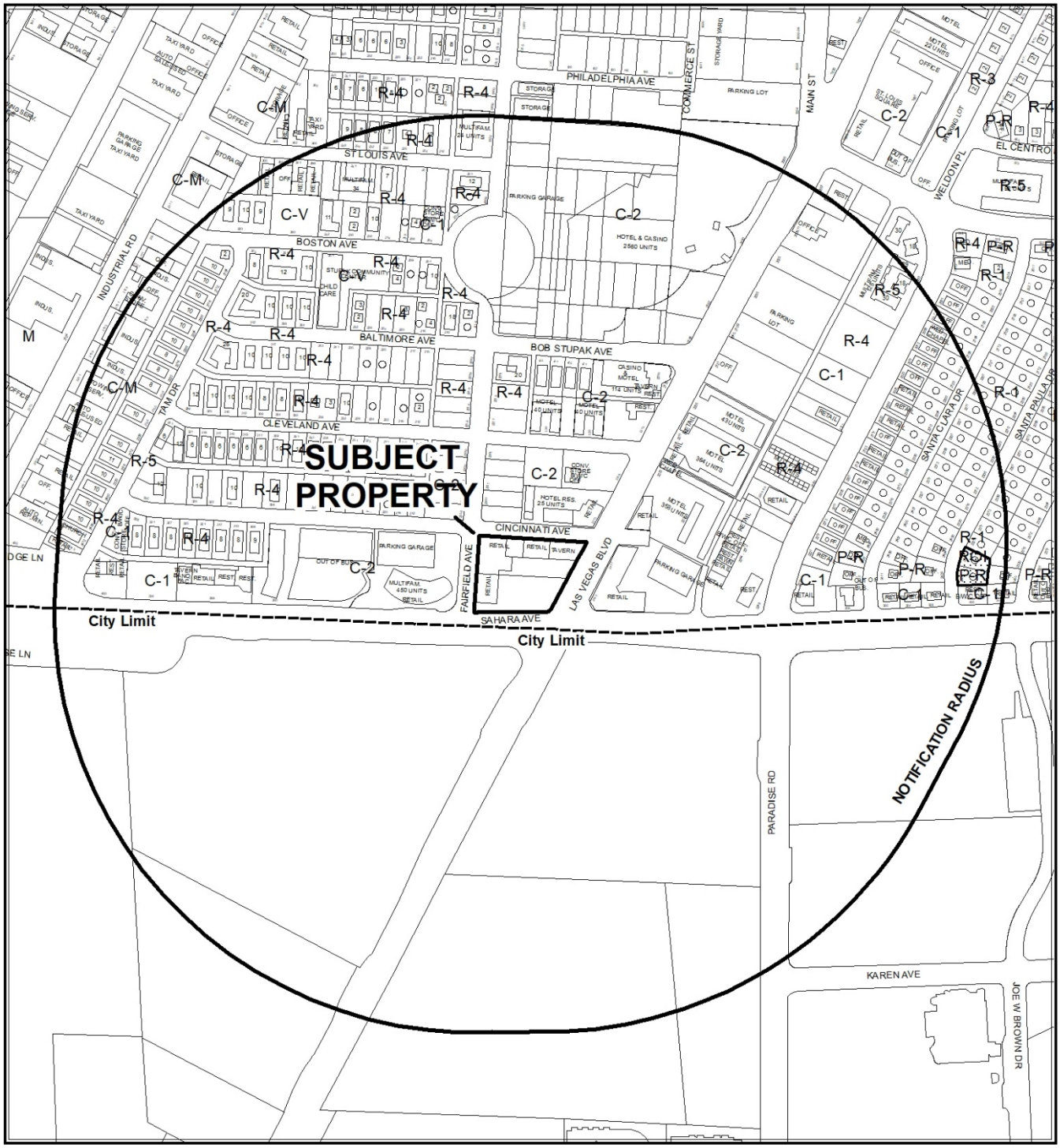
DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
SUP-75722 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CWNEVADA - OWNER: L CHAIM 24 FREMONT PROPERTIES, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 3,600 SQUARE-FOOT MARIJUANA DISPENSARY USE in a portion of 2424 South Las Vegas Boulevard (APN 162-04-812-002), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-75666]. The Planning Commission (4-0-2 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	20	Planning Commission Mtg.	7
City Council Meeting	74	City Council Meeting	2

RECOMMENDATION:
The Planning Commission (4-0-2 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo(s)
5. Justification Letter
6. Protest Postcards
7. Backup Submitted at the June 19, 2019 City Council Meeting
8. Backup Submitted at the May 1, 2019 City Council Meeting
9. Submitted at Meeting – Letter, Petition and Exhibits by George Garcia
10. Backup Submitted at the March 26, 2019 Planning Commission Meeting



0 410 820 Feet

CASE: **SUP-75722 (PRJ-75666)**

RADIUS: 1500 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



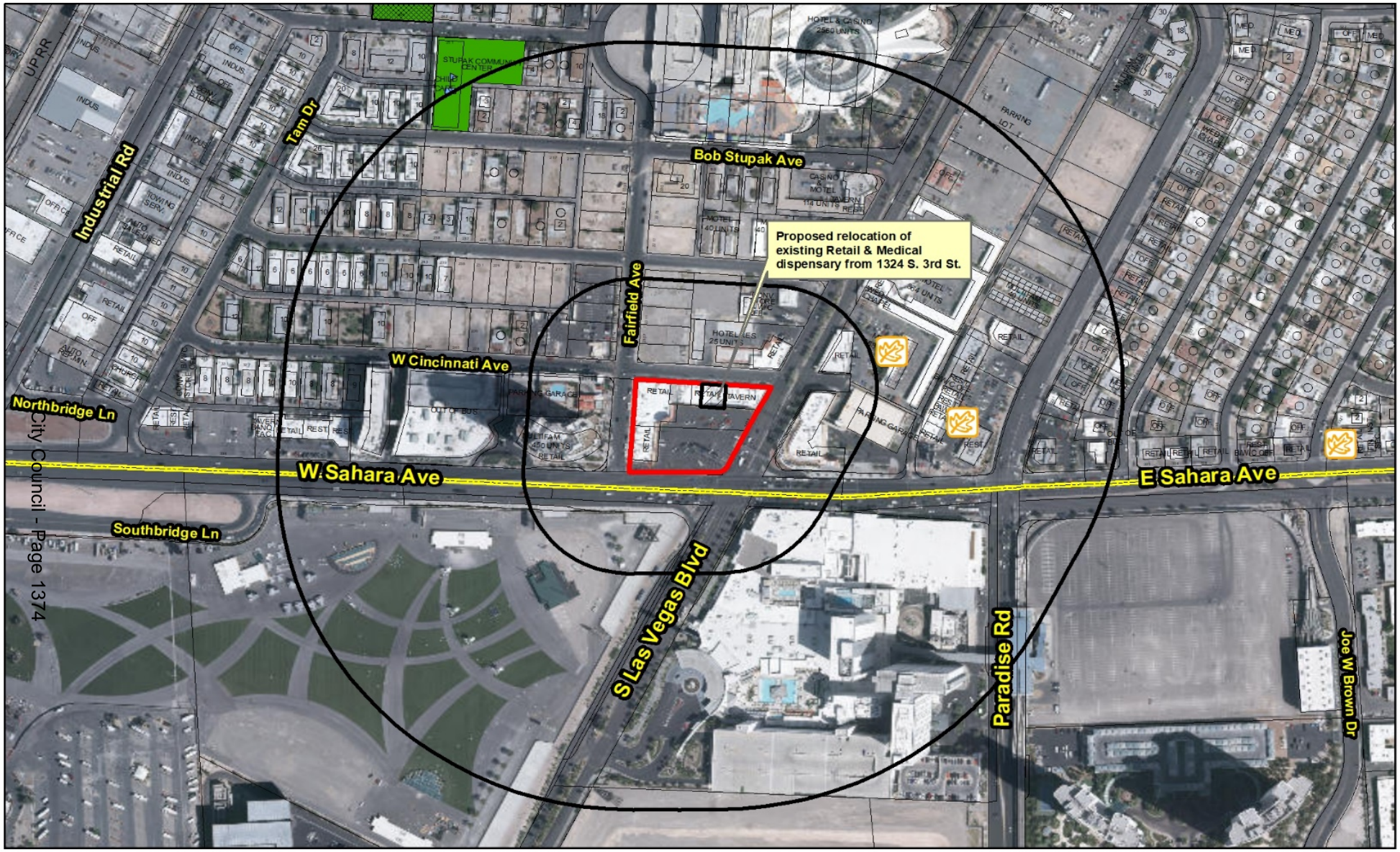
0 410 820 Feet

CASE: **SUP-75722 (PRJ-75666)**

RADIUS: 1500 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



SUP-75722 (PRJ-75666)

Marijuana Establishments

- Dispensaries
- Production Facilities
- Testing Laboratories
- Cultivation
- Retail Marijuana Store (Rec Sales)
- Product Manufacturing Facility (Rec Production)
- Marijuana Cultivation Facility (Rec Cultivation)
- Manufacturing Testing Facility (Rec Lab)

Protected Uses

- RELIGIOUS
- COMMUNITY CENTERS
- Private Schools
- Pools
- SCHOOLS
- Teen Dance Center
- Child Care/ Children Facility
- Parks

Prohibited Areas

- Art District
- Fremont

- Subject Property
- 300 and 1000 foot buffer

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Tuesday, March 26, 2019

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: CLARK NMSD, LLC - OWNER: L'CHAIM 24 FREMONT PROPERTIES, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
SUP-75722	Staff recommends APPROVAL, subject to conditions:	

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 2,427 (By City Clerk)

PROTESTS 94

APPROVALS 9

JAB

**** CONDITIONS ****

SUP-75722 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Marijuana Dispensary use.

2. This Special Use Permit shall be reviewed biennially concurrently with the associated business license, at which time the City Council may require the termination of the use. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the use be removed.

3. Approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. Approval from the DDRC-ARC is required for proposed signage prior to submitting for sign permits.

5. All development shall be in conformance with the site plan and floor plan date stamped 02/04/19, except as amended by conditions herein. Any modification of the premises of a marijuana establishment shall be filed 60 days in advance of any proposed construction. A full and complete copy of all architectural and building plans shall be filed with the Director for a review of compliance with Title 6.95 and Title 19. The Director shall review the plans and approve any modifications in compliance with this chapter prior to the commencing of any construction of modifications.

6. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

7. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.

8. The presence of minors on the premises of a marijuana establishment is prohibited unless the minor is a qualified patient on the premises of a dispensary and is accompanied by his or her parent or legal guardian.

9. No temporary signs such as banners, pennants, inflatable objects, streamers, flags, or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displaying advertisement in the parking lot of the subject property without the appropriate permits.

10. Approval of this Special Use Permit does not constitute approval of a Marijuana Dispensary license.

11. A Marijuana Dispensary shall obtain all required approvals from the State of Nevada to operate such a facility prior to the Special Use Permit being exercised pursuant to LVMC 19.16.110.

12. This business shall operate in conformance to Chapter 6.95 of the City of Las Vegas Municipal Code.

13. Conformance to all regulations pertaining to a Marijuana establishment found within Nevada Revised Statute (NRS) 453A and 453D, and Nevada Administrative Code (NAC) 453A and 453D.

14. There shall be no on-premise consumption (the use, smoking, ingestion or consumption of any marijuana, edible marijuana or marijuana infused product) on the licensed premises.

15. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This application is a request for a Special Use Permit for a proposed Marijuana Dispensary to be located in a portion of 2424 South Las Vegas Boulevard.

ISSUES

- Applicant has changed from CWNEVADA to CLARK NMSD, LLC as of 06/25/19.
- The Marijuana Dispensary use is permitted within the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

ANALYSIS

The Marijuana Dispensary use is defined by Title 19.12 as “an establishment which acquires, possesses, delivers, transfers, transports, supplies, sells or dispenses marijuana or related supplies and educational materials. This use includes a “medical marijuana dispensary,” as defined in NRS 453A.115 and a "retail marijuana store" as defined in NRS 453D.030.”

The Minimum Special Use Permit Requirements for this use include:

Requirement 1: Pursuant to its general authority to regulate the cultivation, production, dispensing, and sale of marijuana, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum separation between a marijuana dispensary and certain other uses that should be protected from the impacts associated with a marijuana dispensary. Therefore, except as otherwise provided below, no marijuana dispensary may be located within 1000 feet of any school, or within 300 feet of any of the following uses:

a. City park;
b. Church/house of worship;
c. Individual care - family home, individual care - group home, or individual care center (in each case licensed for the care of children);
d. Community recreational facility (public); or
e. Any use whose primary function is to provide recreational opportunities to minors. Such uses include without limitation commercial recreation/amusement (indoor or outdoor); library, art gallery or museum (public); teen dance center; and martial arts studio that provides instruction to minors.

JAB

The proposed use meets this requirement, as there are no protected uses located within these minimum separation distances.

Requirement 2: The distance separation referred to in Requirement 1 shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed marijuana dispensary which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed marijuana dispensary. The distance shall be measured in a straight line without regard to intervening obstacles.

The proposed use meets this requirement, as this is the measurement method utilized in determining compliance with Requirement Number One.

Requirement 3: For the purpose of Requirement 2, and for that purpose only:

a. The "property line" of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and
b. The "property line" of a marijuana dispensary refers to:
    i. The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or
    ii. The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:
        A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in Requirement 1 would qualify the parcel under the distance separation requirement;
        B. The proposed marijuana dispensary will have direct access (both ingress and egress) from a street having a minimum right-of-way width of 100 feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed marijuana dispensary will be located;
        C. All parking spaces required by this Section 19.12.070 for the marijuana dispensary use will be located on the same parcel as the use; and
        D. The owners of all parcels within the commercial subdivision, including the owner of agreement, satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.

The proposed use meets this requirement, as this is the measurement method utilized in determining compliance with Requirement Number One.

Requirement 4: When a retail marijuana store authorized pursuant to NRS Chapter 453D (the "Chapter 453D facility") is proposed to be located within a medical marijuana dispensary that is authorized pursuant to NRS Chapter 453A (the "Chapter 453A facility"), and the Chapter 453A facility has obtained special use permit approval as of July 1, 2017, the applicable distance separation requirements under Requirement 1 for the proposed Chapter 453D facility shall be those that were in effect at the time of special use permit approval for the Chapter 453A facility. A Chapter 453D facility that has received special use permit approval, either pursuant to a new special use permit or by means of a review of conditions under an existing special use permit, shall be deemed a conforming use for purposes of this Title.

The proposed use meets this requirement, as this requirement will apply if approved.

Requirement 5: The use shall conform to, and is subject to, the provisions of LVMC Title 6, as they presently exist and may be hereafter amended.

The proposed use meets this requirement as this requirement will apply if approved.

Requirement 6: No outside storage shall be permitted, including the use of shipping containers for on-site storage.

No outside storage is indicated on the submitted site plan. The proposed use meets this requirement, as this requirement will apply if approved.

Requirement 7: Subject to the requirements of applicable building and fire codes, public access to the building shall be from one point of entry and exit, with no other access to the interior of the building permitted.

The submitted floor plans show only one point of entry and exit for public access. The proposed use meets this requirement, as this requirement will apply if approved.

Requirement 8: No drive-through facilities shall be permitted in conjunction with a marijuana dispensary.

No drive-through is indicated on the submitted site plan. The proposed use meets this requirement, as this requirement will apply if approved.

Requirement 9: The Special Use Permit shall be void without further action if the uses ceases for a period exceeding 90 days.

The proposed use meets this requirement, as this requirement will apply if approved.

Requirement 10: A marijuana dispensary shall obtain all required approvals from the State of Nevada to operate such a facility prior to the Special Use Permit being exercised pursuant to LVMC 19.16.110.

The proposed use meets this requirement, as this requirement will apply if approved.

Requirement 11: No marijuana dispensary shall be located on any property which abuts Fremont Street west of 8th Street.

The proposed use meets this requirement, as the subject site does not abut Fremont Street.

Requirement 12: No accessory uses are permitted in association with a marijuana dispensary unless such a use relates to providing education regarding the use of marijuana.

The applicant proposes no accessory uses at this site. The proposed use meets this requirement, as this requirement will apply if approved.

The proposed use will be located in an existing, single-story, 35,429 square-foot shopping center. The 3,600 square-foot Marijuana Dispensary will be created in the northern arm of the structure by incorporating demising walls to separate itself from tenants on either side. The proposed use is located between four frontages—Las Vegas Boulevard, Sahara Avenue, Fairfield Avenue, and Cincinnati Avenue. The shopping center contains multiple retail business with individual addresses. The creation of this new space for a Marijuana Dispensary will not affect the square-footage of the Package Liquor Off-Sale Establishment use located within the existing legal, nonconforming shopping center.

The subject site is located in Area 1 of the Downtown Las Vegas Overlay (Gateway District). The intent of Area 1 is to achieve a compact, vibrant, urban environment, with a focus on higher density mixed-use development around transit hubs and activity nodes. Consequently, as outlined in Title 19, Appendix F, Table 11, there are no additional parking requirements for a change of land use in Area 1. The current shopping center is a legal nonconforming commercial site that was originally constructed with 113 parking spaces. For comparison, a shopping center approved with current development standards outside the Downtown Overlay area would require 140 spaces.

The site is located along the Scenic Byway, which was designated in 2004 to protect and enhance the nighttime scenic qualities of Las Vegas Boulevard between Sahara Avenue and Washington Avenue. As a result, all proposed signage is required to comply with the

Scenic Byway Corridor Management Plan and be approved by the Downtown Design Review Committee (DDRC). The current proposal does not include signage. When the applicant applies for a building permit to create the suite for the Marijuana Dispensary, the City will issue an appropriate address for this new commercial suite. The proposed Marijuana Dispensary use will not reduce the square-footage of the package liquor establishment at 2400 Las Vegas Boulevard.

Also, the subject site is currently served by LVVWD for both fire and domestic service and does not have the backflow prevention required for this use per NAC 445A.67195. Civil and plumbing plans will need to be submitted to LVVWD for domestic meter sizing, fire flow availability and backflow retrofit. To comply with LVVWD Service Rules, executed CC&Rs or REA regarding the shared water system between parcels will be required for civil plan approval.

There are no protected uses within the required distance separations for the proposed Marijuana Dispensary. The use achieves the vision of the Gateway District that ground floor and civic spaces attract more population to the area and stabilize the neighborhood. For these reasons, the proposed use is deemed compatible with the surrounding uses; therefore, staff recommends approval with conditions.

FINDINGS (SUP-75722)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

   The subject site complies with all minimum distance requirements as set forth by Title 19.12 and therefore the use can be conducted in a compatible and harmonious manner with the existing surrounding land uses and future land uses as projected by the General Plan.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The subject site is located in a small retail center in Area 1 of the Downtown Las Vegas Overlay where new land uses are not subject to the automatic application of parking requirements. Nevertheless there are 113 parking spaces where 140 spaces are normally required. It's a commercial center on the corner of two primary arterials that was designed to accommodate a variety of uses including the proposed Marijuana Dispensary.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

   The proposed Marijuana Dispensary can be accessed from Las Vegas Boulevard and Sahara Avenue, both Primary Arterials, as defined by the Master Plan of Streets and Highways, and are adequate in size to meet the requirements of the proposed use.

4. **Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

   The proposed Marijuana Dispensary use will be subject to regular inspections by multiple governmental agencies to ensure compliance and will therefore not compromise the public health, safety, and general welfare or any objective of the General Plan.

5. **The use meets all of the applicable conditions per Title 19.12.**

   The proposed Marijuana Dispensary use meets all distance separation requirements per Title 19.12. Conditions of approval will ensure conformance with all other minimum requirements for this use.

The subject site complies with all minimum distance requirements as set forth by Title 19.12 and therefore the use can be conducted in a compatible and harmonious manner with the existing surrounding land uses and future land uses as projected by the General Plan. As such, staff recommends approval of the proposed use with standard conditions. If denied, no Marijuana Dispensary would be permitted to be established at this site.

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
10/07/15	A Conditional Use Verification (CUV-61575) was approved for open air vending at 2400 South Las Vegas Boulevard.
04/17/17	A Conditional Use Verification (CUV-70006) was approved for open air vending at 2400 South Las Vegas Boulevard.
04/30/18	A Conditional Use Verification (CUV-73320) was approved for open air vending at 2400 South Las Vegas Boulevard.
03/26/19	The Planning Commission voted (4-0-2) to recommend APPROVAL on a request for a Special Use Permit (SUP-75722) FOR A PROPOSED 3,600 SQUARE-FOOT MARIJUANA DISPENSARY USE in a portion of 2424 South Las Vegas Boulevard (APN 162-04-812-002), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-75666].

JAB

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
05/01/19	The City Council voted to ABEY a request for a Special Use Permit (SUP-75722) FOR A PROPOSED 3,600 SQUARE-FOOT MARIJUANA DISPENSARY USE in a portion of 2424 South Las Vegas Boulevard (APN 162-04-812-002), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-75666].
06/19/19	The City Council voted to ABEY a request for a Special Use Permit (SUP-75722) FOR A PROPOSED 3,600 SQUARE-FOOT MARIJUANA DISPENSARY USE in a portion of 2424 South Las Vegas Boulevard (APN 162-04-812-002), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-75666].

Most Recent Change of Ownership	
10/21/16	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
12/21/15	A business license (P63-00449) was issued for package liquor at 2400 South Las Vegas Boulevard. The license expired on 04/01/16.
	A business license (G63-08876) was issued for a tobacco dealer at 2400 South Las Vegas Boulevard. The license is active as of 03/06/19.
	A business license (G63-08877) was issued for general retail at 2400 South Las Vegas Boulevard. The license is active as of 03/06/19.

Pre-Application Meeting	
01/28/19	Staff conducted a pre-application meeting to discuss the submittal requirements for a Special Use Permit and the special requirements for a marijuana dispensary.

Neighborhood Meeting
A neighborhood meeting was not required or held.

Field Check	
02/07/19	Staff observed the subject site during a routine field check. Nothing of concern was noted by staff. The structure is currently occupied by a retail tenant.

Details of Application Request	
Site Area	
Net Acres	1.10

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	C (Commercial)	C-2 (General Commercial)
North	Tattoo Parlor/Body Piercing Studio	C (Commercial)	C-2 (General Commercial)
South	Clark County Special Events Ground	Clark County CT (Commercial Tourist)	Clark County H-1 (Limited Resort & Apartment)
East	Retail, Other Than Listed Tavern-Limited Establishment	C (Commercial)	C-2 (General Commercial)
West	Multi-Family Residential Retail, Other Than Listed Beer/Wine/Cooer Off-Sale Establishment	C (Commercial)	C-2 (General Commercial)

Master and Neighborhood Plan Areas	***Compliance***
Downtown Master Plan	Y
Special Area and Overlay Districts	***Compliance***
A-O (Airport Overlay) District – 175 Feet	Y
DTLV-O (Downtown Las Vegas Overlay) District – Area 1 (Gateway District)	Y
DE-O (Downtown Entertainment Overlay) District	Y
G-O (Gaming Enterprise Overlay) District	Y
SB-O (Las Vegas Boulevard Scenic Byway Overlay) District	Y
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area 1	Y
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	Y

DEVELOPMENT STANDARDS

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Sahara Avenue	Primary Arterial	Master Plan of Streets and Highways	100	Y
Las Vegas Boulevard	Primary Arterial	Master Plan of Streets and Highways	120	Y

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement - Downtown							
Use	***Gross Floor Area or # of Units***	***Base Parking Requirement***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	35,429 SF	1:250	140				
TOTAL SPACES REQUIRED			140		113		N*
Regular & Handicap Spaces Required			135	5	109	4	N*
Loading Spaces			3		0		N**

* Projects located within the Downtown Las Vegas Overlay - Area 1 are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City.
** This is a legal non-conforming commercial subdivision.

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	SUP-75722
Meeting Date	07/17/19 CC
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) Special Use for Dispensary

Project Address (Location) 2400 Las Vegas Blvd so.

Project Name Canopi **Proposed Use** Dispensary

Assessor's Parcel #(s) 162-04-812-002&003 **Ward #** 3-Coffin

General Plan: Existing C Proposed n/a **Zoning:** Existing C-2 Proposed n/a

Additional Information

Property Owner L'Chaim 24 Fremont Property, LLC. Contact n/a

Address 6130 W. Flamingo #402 City Las Vegas State NV Zip 89103

E-mail n/a Phone n/a

Applicant Clark NMSD, LLC Contact Pejman Bady

Address P.O. Box 6255 City Pahrump State NV Zip 89041

E-mail pbady@nuveda.org Phone 702-416-3892

Representative GC Garcia Contact George Garcia

Address 1055 Whitney Ranch Dr., Suite 210 City Henderson State NV Zip 89014

E-mail ggarcia@gcgarciainc.com Phone 702-435-9909

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official **Partner(s)**

Partner(s)

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature

An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name HAIM GABAY

Subscribed and sworn before me

This 25th day of June 20 19

Notary Public in and for said County and State

REVISED 06.25.19

JILL GRAVELLE
Notary Public State of Nevada
No. 05-95936-1
My Appt. Exp. Mar. 11, 2021

PRJ-75666
06/25/19

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) Special Use Permit for Dispensary

Project Address (Location) 2400 Las Vegas Blvd. So.

Project Name Canopi **Proposed Use** Dispensary

Assessor's Parcel #(s) 162-04-812-002 & 003 **Ward #** 3 - Coffin

General Plan: Existing C Proposed n/a **Zoning:** Existing C-2 Proposed n/a

Additional Information

Property Owner L'Chaim 24 Fremont Property, LLC **Contact** n/a
Address 6130 W. Flamingo Road #402 City Las Vegas State NV Zip 89103
E-mail n/a Phone n/a

Applicant CWNV1, LLC **Contact** Brian Padgett
Address 611 S. 6th Street, 2nd Floor City Las Vegas State NV Zip 89101
E-mail brian@brianpadgett.com Phone 702-304-0123

Representative Keampfer Crowell **Contact** Chris Kaempfer
Address 1980 Festival Plaza Drive, Suite 650 City Las Vegas State NV Zip 89135
E-mail jjl@kcnvlaw.com Phone 702-792-7000

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company? ☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official **Partner(s)**

Partner(s)

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature
An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name HAIM GABAY

Subscribed and sworn before me
This 23rd day of January, 20 2019

Notary Public in and for said County and State

RUTH RAMOS-AYALA
Notary Public, State of Nevada
Appointment No. 16-3147-1
My Appt. Expires May 29, 2020

PRJ-75666
02/04/19

SEPARATION DISTANCE SURVEY
MARIJUANA DISPENSARY
2400 S. LAS VEGAS BOULEVARD

GRAPHIC SCALE

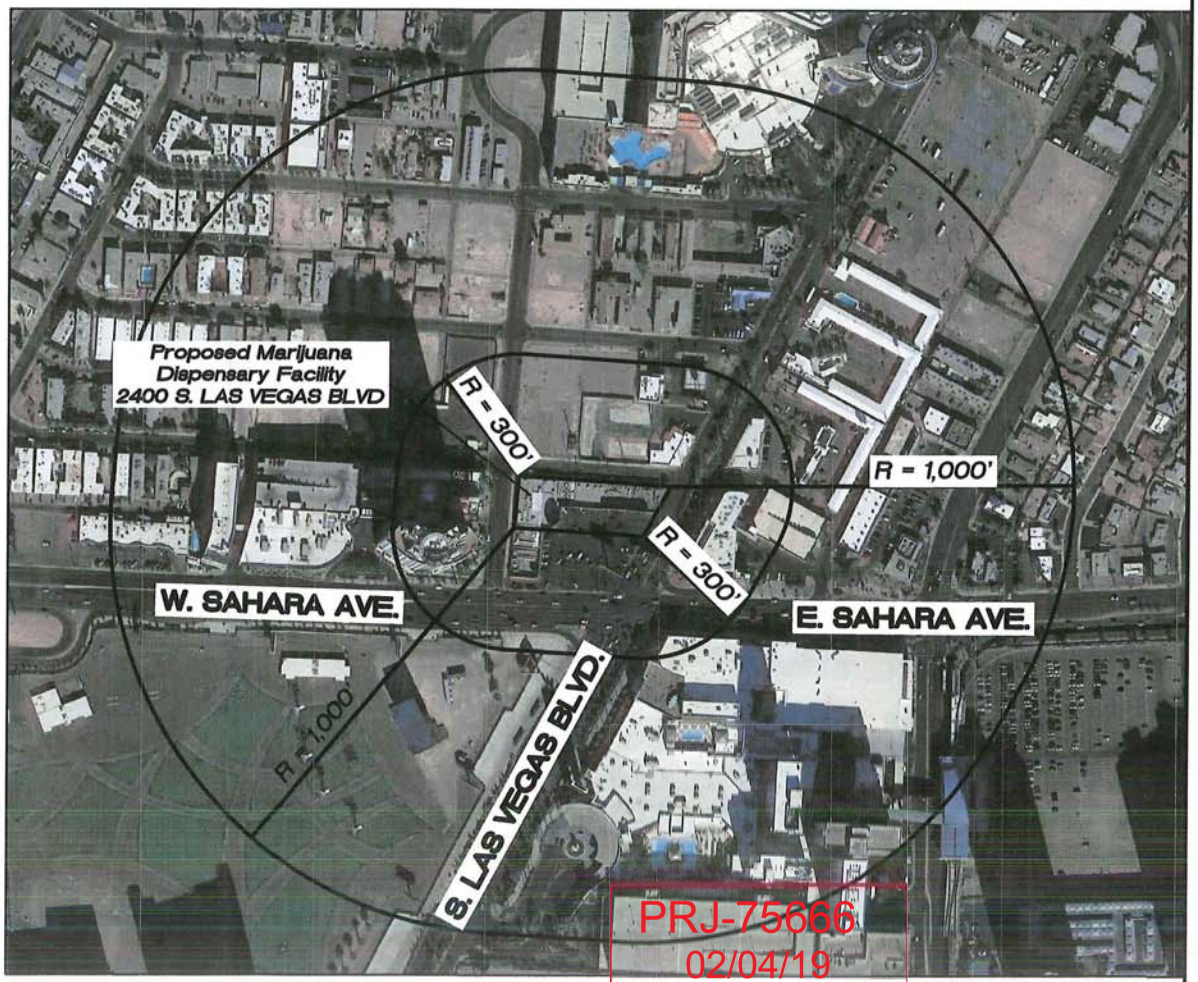
300 0 150 300

(IN FEET)
1 inch = 300 ft.



1/14/2019

Michael L Holton
Professional Land Surveyor
Nevada Certificate No. 13663
Expires: 06/30/2019



Separation Distance Survey for a Marijuana Dispensary. 2400 S. LAS VEGAS BOULEVARD

- Scale: 1" = 300'
- Current zoning classification: C-2 (General Commercial)
- Radius of Circle Shown = 1,000, AND 300 FEET.
- Center of radii are exterior property corners of the Proposed Establishment.

Pursuant to City of Las Vegas development code title 19, chapter 12, section 070 and NRS 453A AND 453D.

THERE ARE NO SCHOOLS LOCATED WITHIN 1,000' OF THE PROPOSED FACILITY.

THERE ARE NO INDIVIDUAL CARE CENTERS LICENSED FOR MORE THAN 12 CHILDREN, COMMUNITY RECREATIONAL FACILITIES (PUBLIC), CITY PARKS, OR CHURCHES/HOUSES OF WORSHIP LOCATED WITHIN 300' OF THE PROPOSED FACILITY.

PRJ-75666
02/04/19

HLS SURVEYING
800 N. Rainbow Blvd. #144
Las Vegas, Nevada 89107
(702) 415-8337

DATE	01/14/19
DRAWN	MLH
SURVEYED	MLH
CHECKED	MLH

SHEET NO. 1/1

SPECIAL USE PERMIT PACKAGE

FOR

BONANZA DISPENSERY

2400 SOUTH LAS VEGAS BLVD. LAS VEGAS, NV 89104

LEGAL DESCRIPTION

MEADOWS ADD RESUB BLK 1&9
PLAT BOOK 3 PAGE 40
PT BLOCK 1

PROJECT DATA

LOCATION: BONANZA DISPENSERY
2400 S. LAS VEGAS BLVD.
LAS VEGAS, NV 89104

OWNER: BONANZA DISPENSERY

CODE ANALYSIS

1. CODE YEAR/TYPE:EXISTING BUILDING: APN: 162-04-812-002
2012 INTERNATIONAL BUILDING CODE (IBC) WITH LOCAL AMENDMENTS
2012 INTERNATIONAL FIRE CODE WITH LOCAL AMENDMENTS
2012 UNIFORM MECHANICAL CODE WITH LOCAL AMENDMENTS
2012 UNIFORM PLUMBING CODE WITH LOCAL AMENDMENTS
2011 NATIONAL ELECTRICAL CODE WITH LOCAL AMENDMENTS
2009 INTERNATIONAL ENERGY CONSERVATION CODE WITH LOCAL AMENDMENTS
2009 ICC ANSI A117.1 ACCESSIBLE AND USEABLE BUILDING AND FACILITIES
2. OCCUPANCY CLASSIFICATION (IBC CHAPTER 3): MERCANTILE
3. TYPE OF CONSTRUCTION: (IBC CHAPTER 6): V-B
4. FIRE SPRINKLERS (IBC 903, 903.3.3): YES NFPA 13
5. FIRE ALARMS (IBC 907)
6. HEIGHT (IBC 503-507& TABLE 503) – ACTUAL: 16'-0" ALLOWABLE: 40'-0"
7. STORIES (IBC 504.2 & TABLE 503) – ACTUAL: 1 ALLOWABLE: 1
8. AREA: (IBC 503-507 & TABLE 503) –ALLOWABLE 9,000 SQ FT. WITH INCREASE TO 36,000 FOR SPRINKLER SYSTEM PER IBC 506.3

BUILDING SIZE: 35,429 SQ. FT.
ACTUAL TOTAL: 35,429 SQ. FT.

9. OCCUPANT LOAD (IBC 1004, & TABLE 1004.1.2):
10. NUMBER OF EXITS (IBC 1015.1, 1021 & TABLES 1015.1,1021.1,1021.2)
11. FIRE-RESISTANCE RATING REQUIREMENTS (TABLE 601) PRIMARY STRUCTURAL FRAME
0 HR BEARING WALLS: INTERIOR
0 HR BEARING WALLS: EXTERIOR
0 HR NON-BEARING WALLS AND PARTITIONS: INTERIOR
0 HR FLOOR CONSTRUCTION AND SECONDARY MEMBERS
0 HR ROOF CONSTRUCTION AHND SECONDARY MEMBERS
12. PROTECTION OF OPENINGS DUE TO LOCATION ON PROPERTY AND MAXIMUM AREA OF EXTERIOR WALL OPENINGS. – (IBC 705.8 & TABLE 705.8) N/A
13. SPACES REQUIRING FIRE-RESISTANCE-RATED SEPARATION (IBFC 420,508,706,707,708,709,712) – N/A
14. NON-SEPARATED USES WITH REQUIRED CALCULATIONS – N/A
15. ROOF COVERING MATERIAL CLASS – CLASS 1

CODE COMPLIANCE: IBC 2012
TYPE OF CONSTRUCTION: V-B
FIRE SPRINKLERS: FULLY SPRINKLERED
LEVELS: 1
PROJECT LEVEL: 1
TYPE OF OCCUPANCY: M

LOBBY OCCUPANT LOAD
500 S.F. / 30 OCCUPANT LOAD = 17 OCCUPANTS
DISPENSERY SALES FLOOR OCCUPANT LOAD
1,200 S.F. / 30 OCCUPANT LOAD = 40 OCCUPANTS
STORAGE / VAULT OCCUPANT LOAD
620 S.F. / 300 OCCUPANT LOAD = 3 OCCUPANTS
OFFICE OCCUPANT LOAD
1,280 S.F. / 100 OCCUPANT LOAD = 13 OCCUPANTS
3,600 S.F. TOTAL FIRST FLOOR OCCUPANT LOAD = 73 OCCUPANTS

NUMBER OF EXITS
REQUIRED EXITS = 2
PROVIDED EXITS = 4
PLUMBING LOAD
TOTAL OCCUPANT LOAD: 73 OCCUPANTS =
PROVIDE 1 FIXTURE PER 25 FOR FIRST 50, 1 PER 50 FOR THE REMAINDER
REQUIRED: 3 TOILET FIXTURES AND 3 SINKS
PROVIDED: 3 TOILET FIXTURES AND 3 SINKS

NOTE:
PROJECT SHALL COMPLY WITH THE 2012 UPC, 2012 UMC, 2011 NEC, 2012 IECC, 2009 ICC A/17.1, AND THE SOUTHERN NEVADA CODE AMENDMENTS

SYMBOL LEGEND

FLOOR PLAN — DRAWING TITLE
SCALE: 1/8" = 1'-0" — DRAWING SCALE
1 / A0.01 TITLE — DETAIL TITLE
SCALE: SCALE — DETAIL SCALE
1 / A0.01 — WALL SECTION MARK
1 / A0.01 — SECTION DETAIL MARK
NUMBER — ELEVATION KEYS
0'-0" FF ELEV — ELEVATION MARK
1 TOP BOTTOM — DOOR NUMBER
1 — ROOM NUMBER

SHEET INDEX

SHEET NUMBER	SHEET TITLE	DATE: 1.12.2019
ARCHITECTURAL		
A0.01	COVER AND INFORMATION SHEET	●
A1.01	SITE PLAN	●
A2.01	OVERALL FIRST FLOOR PLAN	●
A3.01	ELEVATIONS / PHOTOS	●

PARKING ANALYSIS

PARKING REMAINS THE SAME
OCCUPANCY OR SIZE DOES NOT CHANGE
NO ADDITION PARKING REQUIRED

PARKING SPACES PROVIDED: 113 SPACES
H/C ACCESSIBLE SPACES PROVIDED: 4 SPACES

BUILDING CONSTRUCTION

1. ALL WORK, MATERIALS, METHODS ETC. SHALL CONFORM TO ALL APPLICABLE CODES AND ORDINANCES.
2. MATERIALS TO BE USED SHALL BE OF FIRST QUALITY. ALL WORK SHALL BE PERFORMED BY SKILLED TRADES IN A WORKMANLIKE MANNER.
3. CLEAN, PATCH & REPAIR ALL SURFACES DAMAGED BY DEMOLITION OR ALTERATION OF WORK AS REQUIRED, INCLUDING EXISTING FIRE-RATED ASSEMBLIES.
4. CONTRACTOR SHALL BE RESPONSIBLE FOR IDENTIFYING AND PROVIDING ALL BUILDING MATERIALS & FINISHES NOT SPECIFICALLY ADDRESSED IN THESE PLANS.

DESCRIPTION

PROJECT: BONANZA DISPENSERY
2400 S. LAS VEGAS BLVD.
LAS VEGAS, NV 89104

PROJECT TYPE: REMODEL

BUILDING OWNER: BONANZA DISPENSERY

APN: 162-04-812-002

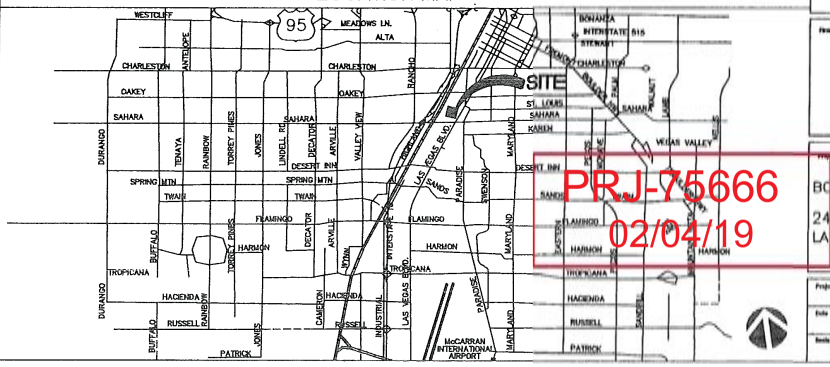
AREA OF IMPROVEMENT: 3,600 SQ. FT.

SCOPE OF WORK

SCOPE OF WORK: REMODEL EXISTING RETAIL AREA INTO A DISPENSERY FOR MEDICAL MARIJUANA.

THERE WILL BE A DISPENSERY IN THE FRONT PUBLIC AREA WITH RESTROOMS. THERE WILL BE STORAGE, A SAFE, AND BOH ITEMS IN THE REAR.

LOCATION MAP



PRJ-75666
02/04/19

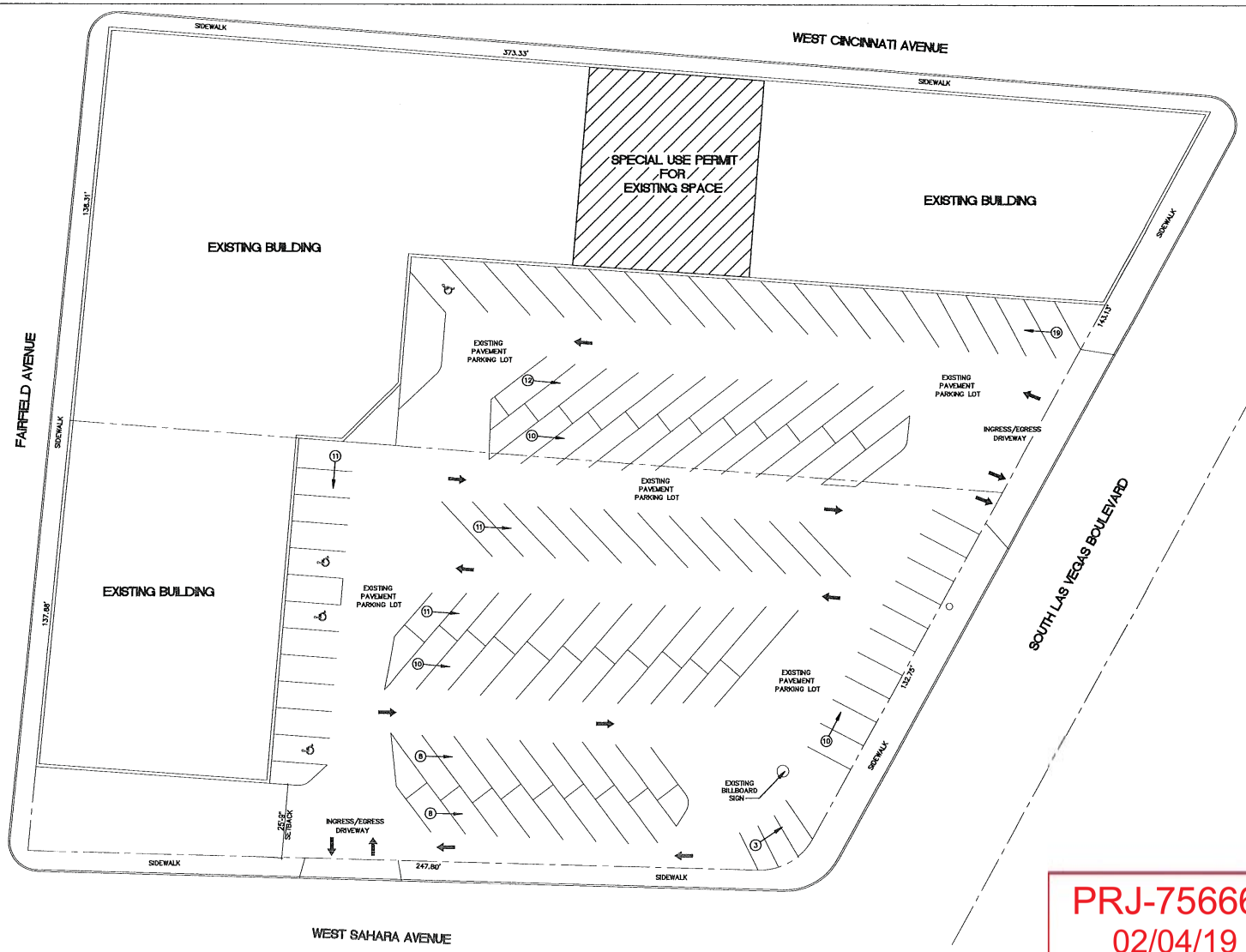
No.	Revision/Issue	Date

Firm Name and Address

Project Name and Address
BONANZA DISPENSERY
2400 S. LAS VEGAS BLVD.
LAS VEGAS, NV 89104

Project 2019-01
Date 1-12-2019
Scale AS NOTED
Sheet A0.01

City Council - Page 1390



PARKING SPACES PROVIDED: 113 SPACES

H/C ACCESSIBLE SPACES PROVIDED: 4 SPACES

1.10 ACRES 40% LOT COVERAGE

1 / A1.01 SITE PLAN

SCALE: 1/16"=1'-0"

NORTH

PRJ-75666
02/04/19

No.	Revision/Issue	Date

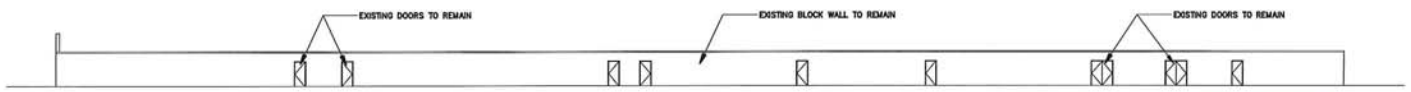
Firm Name and Address

Project Name and Address

BONANZA DISPENSERY

2400 S. LAS VEGAS BLVD.
LAS VEGAS, NV 89104

Project 2019-01	Sheet A1.01
Date 1-12-2019	
Scale AS NOTED	



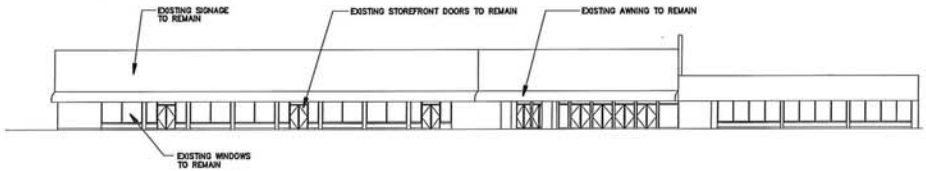
4 A3.01 **EXISTING NORTH SIDE ELEVATION**

SCALE: 1/16"=1'-0"



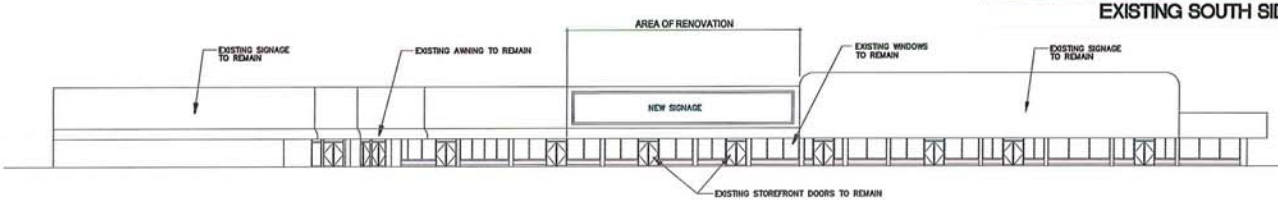
3 A3.01 **EXISTING WEST SIDE ELEVATION**

SCALE: 1/16"=1'-0"



2 A3.01 **EXISTING EAST SIDE ELEVATION**

SCALE: 1/16"=1'-0"



1 A3.01 **EXISTING SOUTH SIDE ELEVATION**

SCALE: 1/16"=1'-0"



EXISTING EAST SIDE ELEVATION



EXISTING SOUTH SIDE ELEVATION

No.	Revision/Issue	Date

Firm Name and Address

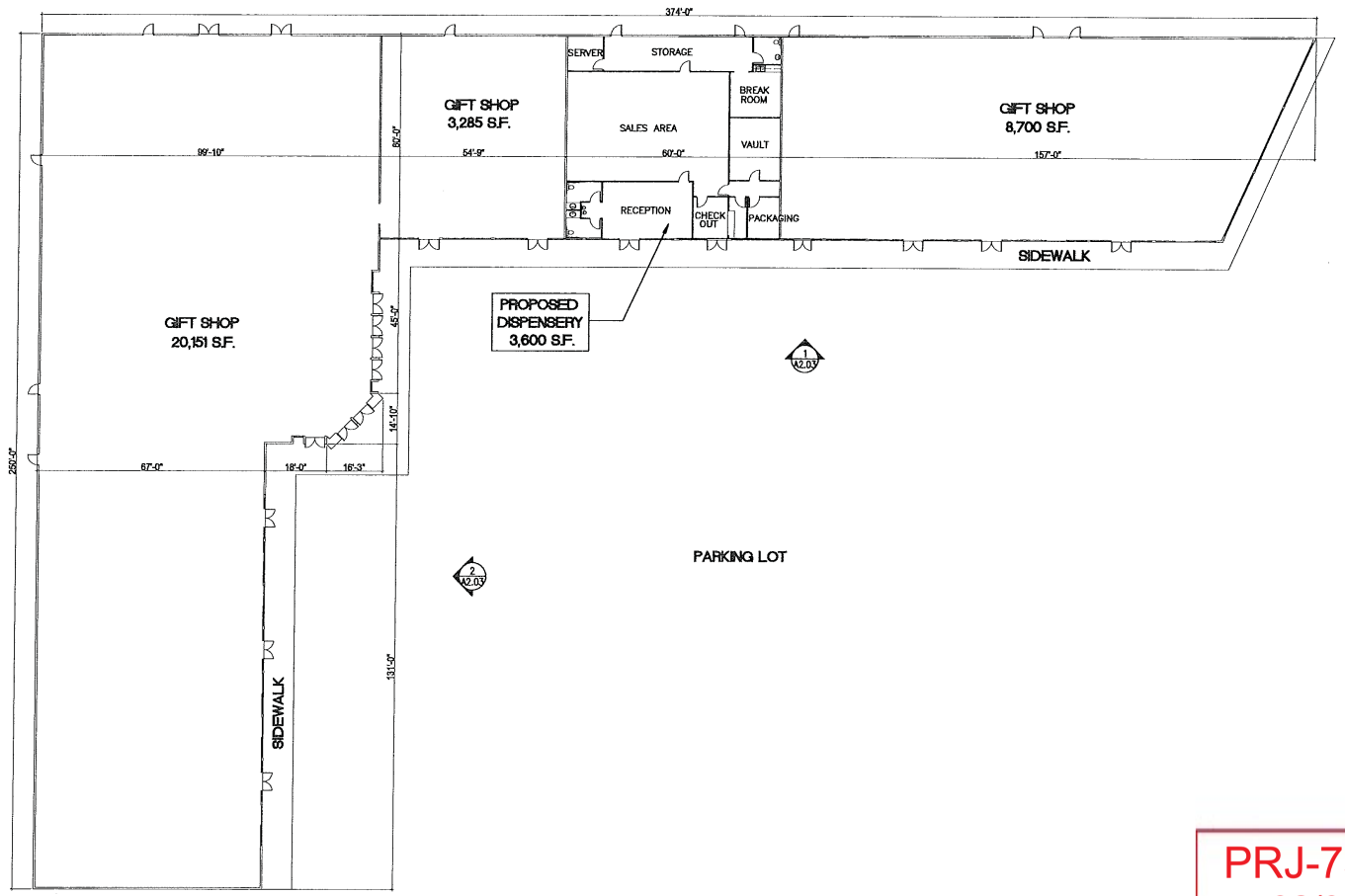
PRJ-75666
02/04/19

Project Name and Address

BONANZA DISPENSERY

2400 S. LAS VEGAS BLVD.
LAS VEGAS, NV 89104

Project	Sheet
2019-01	A3.01
Date: 1-12-2019	
Scale: AS NOTED	



1 A2.01 OVERALL FIRST FLOOR PLAN

SCALE: 1/16" = 1'-0"

35,429 TOTAL SQUARE FEET

NORTH

No.	Revision/Issue	Date

Firm Name and Address

PRJ-75666
02/04/19

Project Name and Address

BONANZA DISPENSERY
2400 S. LAS VEGAS BLVD.
LAS VEGAS, NV 89104

Project	2019-01
Date	1-12-2019
Scale	AS NOTED

Sheet A2.01



SUP-75722 [PRJ-75666] - SPECIAL USE PERMIT - APPLICANT: CWNEVADA - OWNER: L'CHAIM 24 FREMONT PROPERTIES, LLC
2424 SOUTH LAS VEGAS BOULEVARD

02/07/19

City



SUP-75722 [PRJ-75666] - SPECIAL USE PERMIT - APPLICANT: CWNEVADA - OWNER: L'CHAIM 24 FREMONT PROPERTIES, LLC
2424 SOUTH LAS VEGAS BOULEVARD

02/07/19

City

KAEMPFER
CROWELL
ATTORNEYS AT LAW

LAS VEGAS OFFICE

JENNIFER LAZOVICH
jlazovich@kcnvlaw.com
702.792.7050

LAS VEGAS OFFICE
1980 Festival Plaza Drive
Suite 650
Las Vegas, NV 89135
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

CARSON CITY OFFICE
510 West Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

February 1, 2019

VIA UPLOAD

CITY OF LAS VEGAS
PLANNING DEPARTMENT
333 N. Rancho Drive
Las Vegas, NV 89106

Re: Justification Letter
Special Use Permit – Dispensary Relocation
APNs: 162-04-812-002 & 003

To Whom It May Concern:

Please be advised, this office represents CWNevada which operates an existing medical and retail dispensary known as Canopi at 1324 South Third Street (the "Applicant"). The dispensary is clean and safe and is in compliance with all state and local laws and ordinances.

The Applicant is seeking a special use permit to relocate the existing dispensary from its current location on South Third Street to 2400 Las Vegas Boulevard. The new location is on the northwest corner of Las Vegas Boulevard and E. Sahara Avenue and is zoned C-2. Existing driveways off Las Vegas Boulevard and Sahara Avenue will be used. A distance survey is included with this submission and shows that there are no protected uses within the required radius.

The new location will be approximately 3,600 square feet and will be located in an existing in line shopping center. Since the new location is in an existing shopping center, parking has already been provided and this use does not increase the amount of parking required. Therefore, no additional parking spaces are necessary. The Applicant will be taking over a portion of the existing gift shop square footage and will be creating a new stand alone tenant space within the northern building. The dispensary will have its own entrance and will comply with all security requirements. The Applicant will be seeking wall signage to identify its location within the shopping center.

Given that this location is zoned C-2 and is located in a heavy traffic and high commercial area, the request for a dispensary is appropriate and compatible.

PRJ-75666
02/04/19

SUP-75722

KAEMPFER
CROWELL

Thank you for your consideration of this request.

Sincerely,

KAEMPFER CROWELL

Jennifer Lazovich

JJL/sfm

cc: Brian Padgett

PRJ-75666
02/04/19

SUP-75722

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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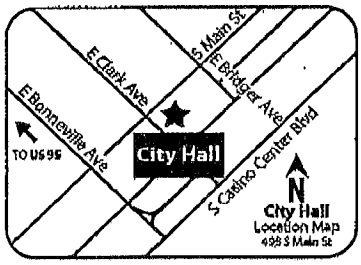
Las Vegas, NV
Permit No. 1630

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

RECEIVED
CITY CLERK
2019 MAY -7 A 7:24

PRJ-75666
16210114092
GOLAND FAMILY TRUST
YAACOV & NILI GOLAND TRS
1726 MICHAEL LN
PACIFIC PALISADES CA 90272-2037

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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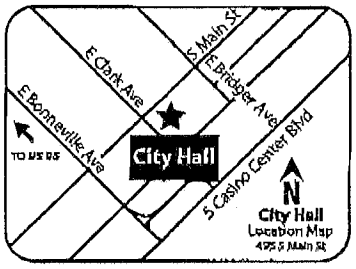
Permit No. 1630

Return Service Requested
Official Notice of Public Hearing



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Please use available blank space on card for your comments.

SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

RECEIVED
CITY CLERK
2019 MAY -1 A 10:22

PRJ-75666
16204815262
MONTAGUE MARILYN R
200 W SAHARA AVE #2604
LAS VEGAS NV 89102-5082

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Permit No. 1630

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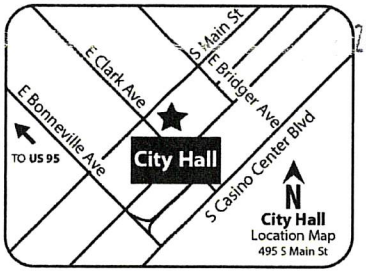
CITY CLERK
2019 MAY -2 A 11:50

Return Service Requested
Official Notice of Public Hearing



PRJ-75666
16210114254
WAITS BRUCE & RUTH
2912 S DETROIT AVE
TULSA OK 74114-5227

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

2 BRDGNP1 74114

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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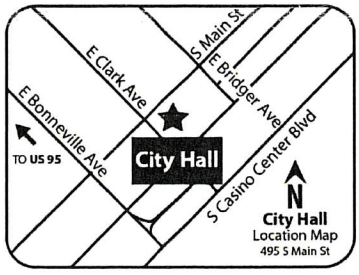
Las Vegas, NV
Permit No. 1630

RECEIVED
CITY CLERK
2019 MAY -2 A 11:50

Return Service Requested
Official Notice of Public Hearing



PRJ-75666
16210114254
WAITS BRUCE & RUTH
2912 S DETROIT AVE
TULSA OK 74114-5227

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Please use available blank space on card for your comments.

SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

2 BRDGNP1 74114

Abeyance 6/19

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

CAROL STREAM
IL 601
01 MAY '19

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Las Vegas, NV
Permit No. 1630

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CITY CLERK

2019 MAY 13 P 12:36

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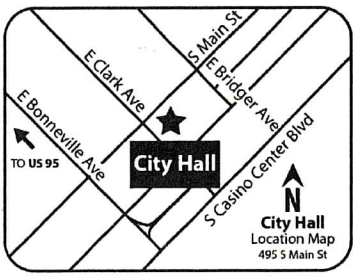

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PRJ-75666
16204815111
DUNN WALLACE E
561 W DIVERSEY #215
CHICAGO IL 60614-1682

[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

28 BROOKP1 60614

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

CAROL STREAM
IL 601
01 MAY '19

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2019 MAY 13 P 12:36

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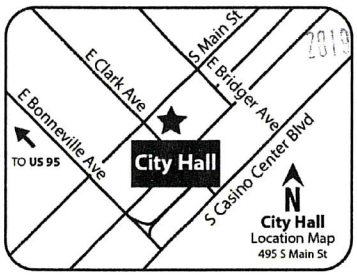

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PRJ-75666
16204815111
DUNN WALLACE E
561 W DIVERSEY #215
CHICAGO IL 60614-1682

[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

Submitted after final agenda

28 BROOKP1 60614

6/18/2019

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2019 JUN 18 P 12:43

Dear City of Las Vegas,
On behalf of

L'Chaim Western Supply
L'Chaim Western Village LLC
L'Chaim Fremont Associates LLC
New El Portal LLC
G & G Fremont LLC

We all approve: SUP 75722 PRJ 75666

for CN Nevada application being heard 6/19/19.

Thank You,

Haim Gabay
6130 W. Flamingo Rd #402
Las Vegas, NV 89103

6/18/2019

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2019 JUN 18 P 12:43

To Whom it May Concern,

On behalf of my companies in City of Las Vegas,

EDM Western Supply LLC
Crazy Ely Western Village LLC (2 locations)

We approve the passing of SUP 75722 PRJ 75666 at 2400 Las Vegas Blvd S, Las Vegas, NV 89104.

Thank you,

Mali Gabay

ity of Las Vegas
)ffice of The City Clerk
95 South Main Street, 2nd Floor
.as Vegas, Nevada 89101

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2019 APR 24 P 5:27

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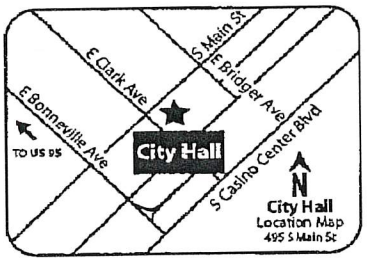

PRJ-75666
16204815022
SMITH LARRY KIM
7510 APPLEGATE DR
HELENA MT 59602-8195

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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UP-75722 PRJ-75666
ity Council Meeting of **May 1, 2019**

32 BRDGNP1 89502

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Office of The City Clerk
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Las Vegas, Nevada 89101

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PRJ-75666
16210114264
BERLINER I Y & R P REV LIV TR
BERLINER MYRON & LILI SHI
800 AQUITAINE CT
LAS VEGAS NV 89145

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

Submitted after final agenda
Item 77

139 BRDGNP1 89145

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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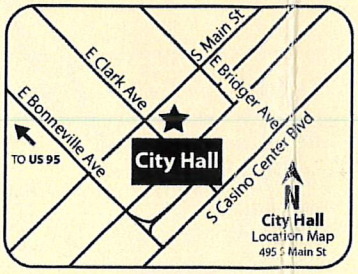
2019 APR 25 A 11:50



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

PRJ-75666
16203411006
MOFFATT FAMILY TRUST
MOFFATT JOIANNE TRS
3101 PLAZA DE ERNESTO
LAS VEGAS NV 89102-4022

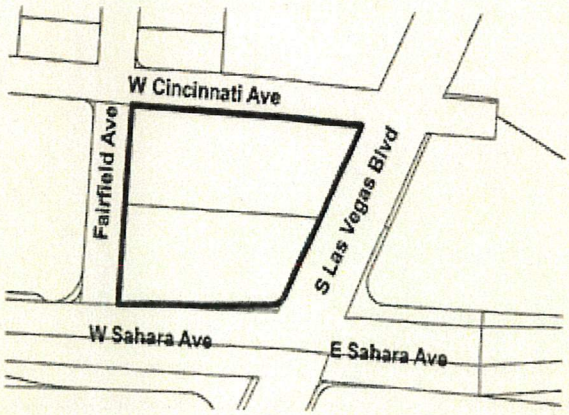
89 BRDCHP1 89102

Application Information

SUP-75722 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CWNEVADA - OWNER: L CHAIM 24 FREMONT PROPERTIES, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 3,600 SQUARE-FOOT MARIJUANA DISPENSARY USE in a portion of 2424 South Las Vegas Boulevard (APN 162-04-812-002), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-75666]. The Planning Commission (4-0-2 vote) and Staff recommend APPROVAL.

This whole area is full of dispensaries why do we need another one?
I cannot imagine why the Strat - think this is good

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	May 1, 2019
Location:	City Council Chambers 495 South Main St, 2nd Fl. Las Vegas, Nevada
Not to be heard before:	11:00 A.M.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 2nd Floor, City Hall, 495 South Main Street, Las Vegas, Nevada, 89101. For further information, go to www.lasvegasnevada.gov or call (702) 229-6311 (TTY 7-1-1). **Note that postcards and comments received after an agenda posts will not be reflected online until after the meeting; however, the comments are made available to the members of the governing body for their consideration prior to the meeting.**

Apr. 23. 2019 9:46AM No. 3341 P. 1/1

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Las Vegas, Nevada 89101

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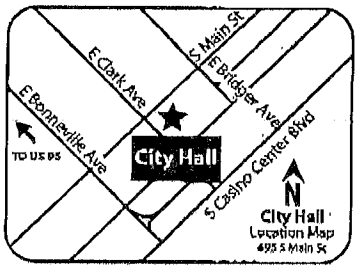

Too close to Residential
427 units negatively
impacted

PRJ-75666
16204815419
WELLS RICHARD TRUST
WELLS RICHARD TRS
200 W SAHARA AVE #3907
LAS VEGAS NV 89102-5095

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

We Already have one within 500 feet of This one

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2019 APR 23 P 1:13

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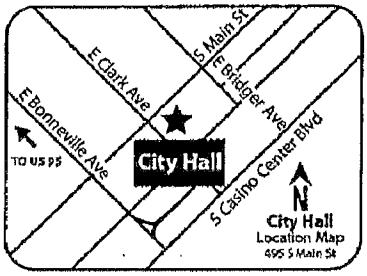

PRJ-75666
16204710084
WHITNEY INVESTMENTS L L C
P O BOX 777325
HENDERSON NV 89077-7325

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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UP-75722 PRJ-75666
ity Council Meeting of **May 1, 2019**

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Las Vegas, Nevada 89101

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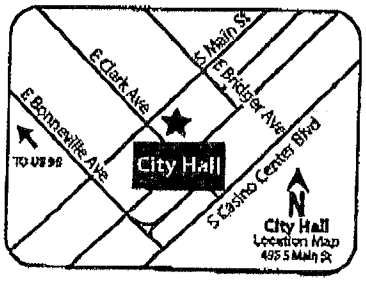

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

PRJ-75666
16210114380
R A A M C O L V L L C
2747 PARADISE RD #2101
LAS VEGAS NV 89109

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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2019 APR 23 P 1:12

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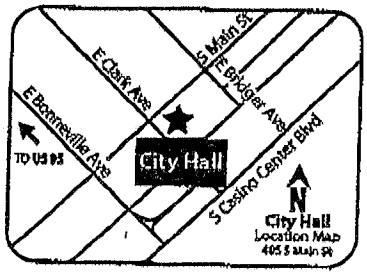

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

PRJ-75666
16210114364
R A A M C O L V L L C
2747 PARADISE RD #2101
LAS VEGAS NV 89109

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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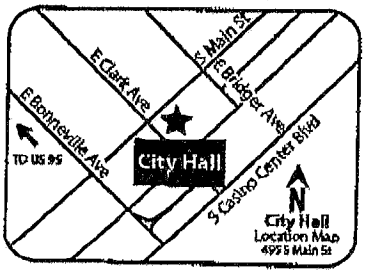

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

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SUP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

PRJ-75666
16210114371
RAAMCOLVLLC
2747 PARADISE RD #2101
LAS VEGAS NV 89109

City of Las Vegas
Office of The City Clerk
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Las Vegas, Nevada 89101

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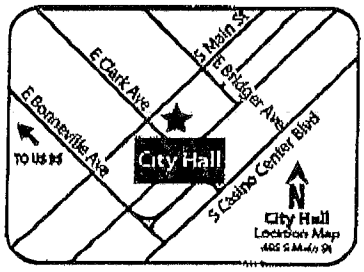

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

PRJ-75666
16210114238
R A A M C O L V L L C
2747 PARADISE RD #2101
LAS VEGAS NV 89109

101 89109-4

City of Las Vegas
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Las Vegas, Nevada 89101

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2019 APR 23 P 1:12

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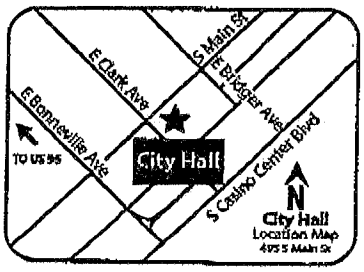

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

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SUP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

PRJ-75666
16210114259
RAAMCOLVLLC
2747 PARADISE RD #2101
LAS VEGAS NV 89109

101 89109-1 8105

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495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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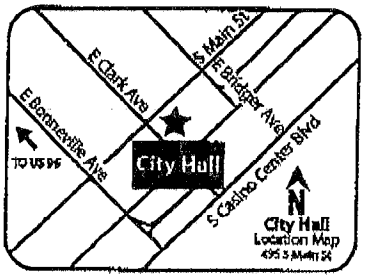

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

PRJ-75666
16210114146
R A A M C O L V L L C
2747 PARADISE RD #2101
LAS VEGAS NV 89109

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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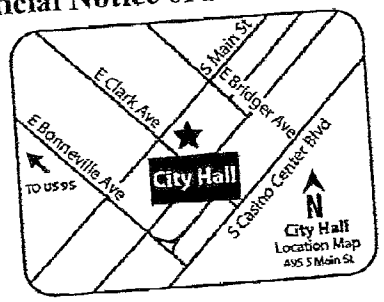

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16204813003
PARK CIRCLE APARTMENTS L L C
6337 VISTA VERDE NORTH
LAS VEGAS NV 89146-1109

97 89014 89146

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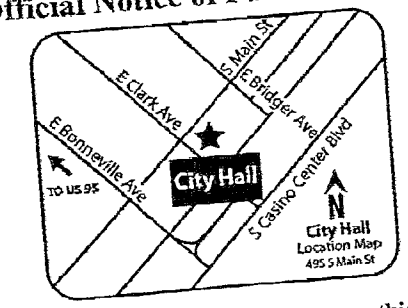

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

PRJ-75666
16204813002
PARK CIRCLE APARTMENTS L L C
6337 VISTA VERDE NORTH
LAS VEGAS NV 89146-1109

97 89146

City of Las Vegas
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495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

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PRJ-75666
16204813001
PARK CIRCLE APARTMENTS L L C
6337 VISTA VERDE NORTH
LAS VEGAS NV 89146-1109

ty of Las Vegas
fice of The City Clerk
5 South Main Street, 2nd Floor
s Vegas, Nevada 89101

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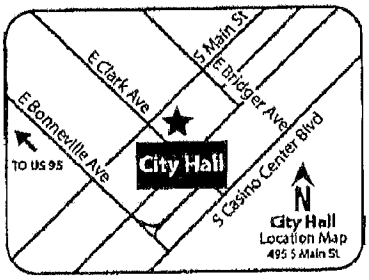

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

ease use available blank space on card for your comments.

UP-75722 PRJ-75666
ity Council Meeting of **May 1, 2019**

PRJ-75666
16204815010
LUCIANO FAMILY TRUST
LUCIANO RICHARD J & K M TRS
759 REPOSADO DR
LA HABRA HEIGHTS CA 90631-7837

Apr 22 19 06:31p Lucian 562 690 8448 p.1

City of Las Vegas
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Las Vegas, Nevada 89101

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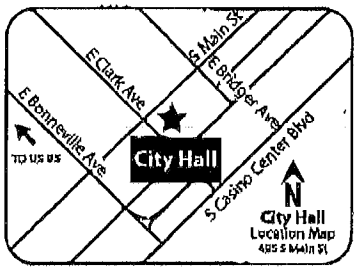

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16210114285
KING FAMILY IRREVOCABLE TRUST
KING GREGORY TRS
1200 MENLO DR N W
ATLANTA GA 30318-4170

ity of Las Vegas
ffice of The City Clerk
95 South Main Street, 2nd Floor
as Vegas, Nevada 89101

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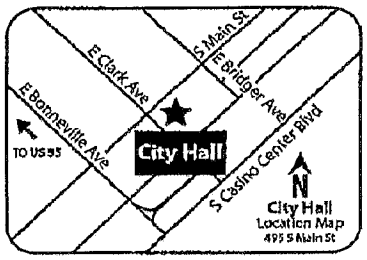

you wish to file your protest or support on this request, check the ppropriate box below and return this card in an envelope with postage to the ffice Of The City Clerk at the address listed above or fax this side of this ard to (702) 382-4803. If you would like to contact your Council epresentative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

lease use available blank space on card for your comments.

UP-75722 PRJ-75666

ity Council Meeting of **May 1, 2019**

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CITY CLERK
2019 MAR 21 P 5:28

PRJ-75666
16204815022
SMITH LARRY KIM
7510 APPLEGATE DR
HELENA MT 59602-8195

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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2019 APR 23 A 11:14

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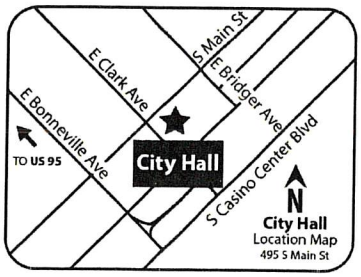

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

PRJ-75666
16210114277
PARSONS WILLIAM R & MARCY R
322 KAREN AVE #3901
LAS VEGAS NV 89109

101 BRDCNP1 89109

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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2019 APR 24 A 11:33

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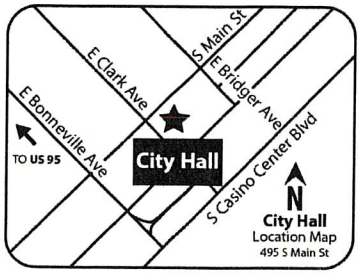

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

PRJ-75666
16210114451
BERLINER IRVING & R P REV LIV TR
BERLINER IRVING Y & ROBIN P TRS
800 AQUITAINE CT
LAS VEGAS NV 89145

133 BRDCNP1 89145

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

PRJ-75666
16210114304
DEDOMENICO MARK 2010 REV TR
DEDOMENICO MARK TRS
4455 148TH AVE N E
BELLEVUE WA 98007-3120

136 BRDGNP1 98007

City of Las Vegas
Office of The City Clerk
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2019 APR 29 P 3:10

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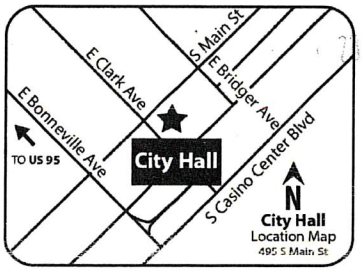

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

PRJ-75666
16204815379
DUFRESNE D & D FAMILY TRUST
DUFRESNE GERARD A & DAUNE W TRS
1506 PACIFIC COAST HWY
HUNTINGTON BEACH CA 92648-4407

Submitted after final agenda
Item 77

108 BRDGNP1 92648

City of Las Vegas
Office of The City Clerk
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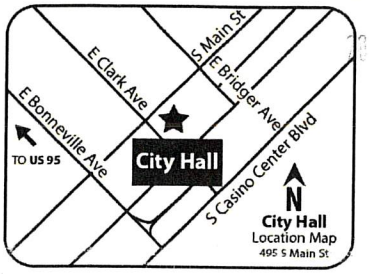

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16204815100
FAN CHINLI
YU HONG
3484 WESTWOOD DR
SALT LAKE CITY UT 84109-3239

22 BRDGNP1 84109

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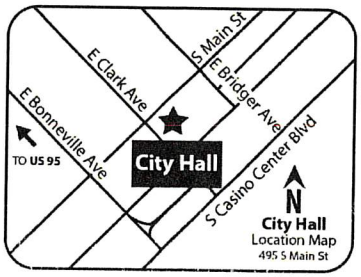

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16204815333
FAN CHINLI
YU HONG
3484 WESTWOOD DR
SALT LAKE CITY UT 84109-3239

22 BRDGNP1 84109

City of Las Vegas
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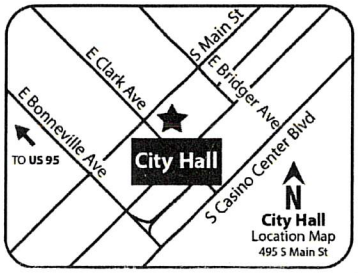

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16204815099
KELLY MICHAEL WILLIAM
TANN MIEV HOUY LILLIAN
3000 W OAKEY BLVD
LAS VEGAS NV 89102

89 BRDGNP1 89102

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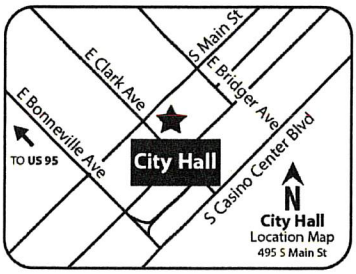

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16204815392
MCCAM ALLURE L L C
%E CAMPAGNA
460 S LA FLORESTA DR #118
BREA CA 92823

11 BRDGNP1 92823

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

PRJ-75666
16210114148
SCHAFER GARY A & JOANNE FAMILY T
SCHAFER GARY A & JOANNE TRS
8788 HIDDEN FARM RD
ALTA LOMA CA 91701-1432

100 BRDGNP1 91701

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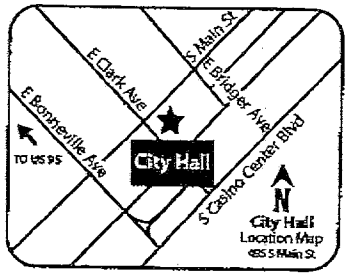

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

PRJ-75666
16203413032
LUK KAYE C & DIANA A
10313 POMPEI PL
LAS VEGAS NV 89144

131 BRDGNP1 89144

Submitted after final agenda

Item 77

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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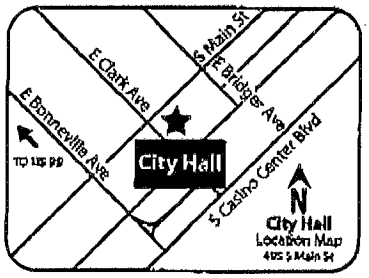
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☑ I OPPOSE this Request

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City Council Meeting of **May 1, 2019**

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2019 APR 29 A 11:11

PRJ-75666
16210114428
MAR-LAM FAMILY TRUST ETAL
LAM MARVIN TRS
6 JENNIFER PL
SAN FRANCISCO CA 94107

04/26/2019 FRI 19:31 FAX 001/010

City of Las Vegas
Office of The City Clerk
95 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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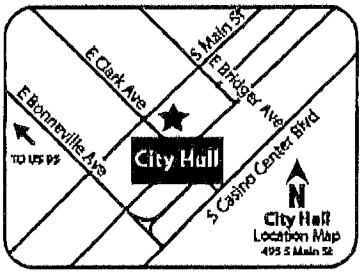

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

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UP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

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PRJ-75666
16210114458
MAR-LAM FAMILY TRUST ETAL
LAM MARVIN TRS
6 JENNIFER PL
SAN FRANCISCO CA 94107

04/26/2019 FRI 19:32 FAX 004/010

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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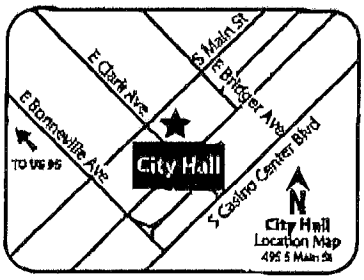

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

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UP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

PRJ-75666
16210114460
MAR-LAM FAMILY TRUST ETAL
LAM MARVIN TRS
6 JENNIFER PL
SAN FRANCISCO CA 94107

125 BRDGNP1 9 City Council - Page 1428

04/26/2019 FRI 19:32 FAX 008/010

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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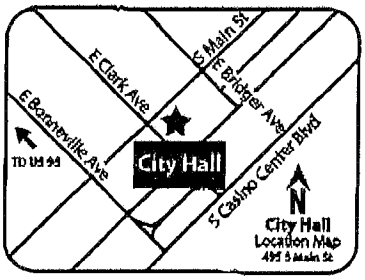

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

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City Council Meeting of **May 1, 2019**

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PRJ-75666
16210114463
MAR-LAM FAMILY TRUST ETAL
LAM MARVIN TRS
6 JENNIFER PL
SAN FRANCISCO CA 94107

04/26/2019 FRI 19:32 FAX 009/010

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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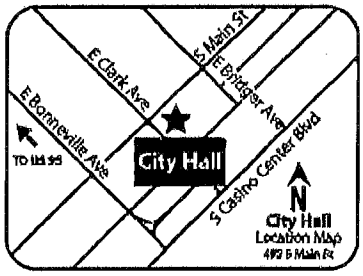

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

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SUP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

PRJ-75666
16210114490
MAR-LAM FAMILY TRUST ETAL
LAM MARVIN TRS
6 JENNIFER PL
SAN FRANCISCO CA 94107

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04/26/2019 FRI 19:32 FAX 010/010

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
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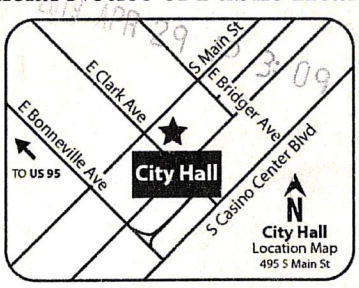

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16204815115
COVAL SANDRA L
200 W SAHARA AVE #1212
LAS VEGAS NV 89102-5070

Submitted after final agenda
Item 77

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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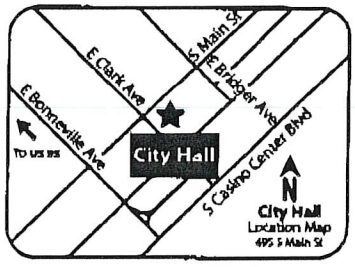

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

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2019 APR 25 A 10:59

PRJ-75666
16204811007
GUPTA H & K FAMILY TRUST
GUPTA HEM CHAND & KRISHNA TRS
160 E SHELBOURNE AVE
LAS VEGAS NV 89123-2150

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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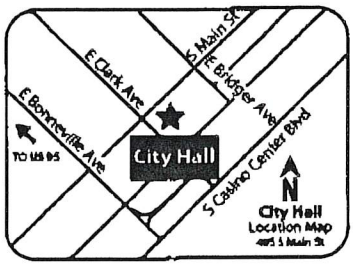

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City Council Meeting of **May 1, 2019**

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PRJ-75666
16204811008
GUPTA H & K FAMILY TRUST
GUPTA HEM CHAND & KRISHNA TRS
160 E SHELBOURNE AVE
LAS VEGAS NV 89123-2150

2019-04-25 09:07
<<
P 1/1

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

LAS VEGAS
NV 890
24 APR '19
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2019 APR 30 A 10:44

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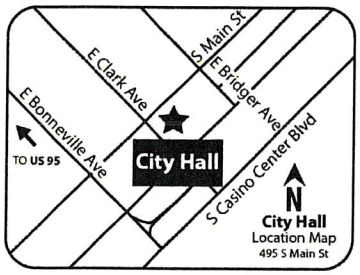

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16203401001
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

115 BRDGMP1 89118

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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NV 890
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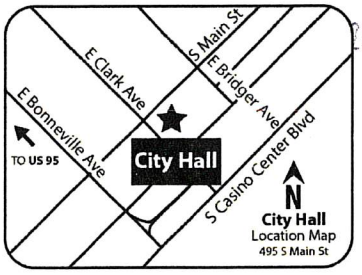

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16203401002
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

Submitted after final agenda
Item 77

115 BRDGMP1 89118

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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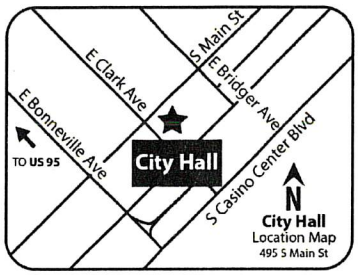

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16203301016
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

115 BRDGNP1 89118

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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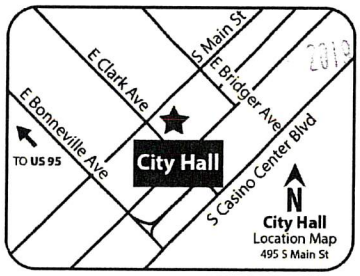

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16204710041
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

115 BRDGNP1 89118

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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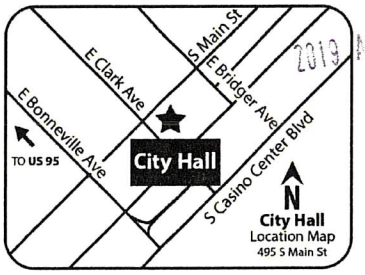

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16204710042
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

115 BRDGNP1 89118

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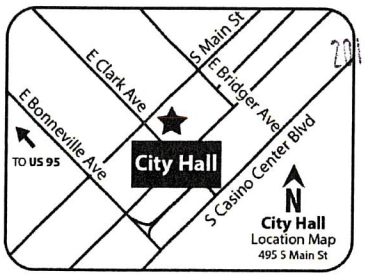

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16204710043
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

115 BRDGNP1 89118

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Office of The City Clerk
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Las Vegas, Nevada 89101

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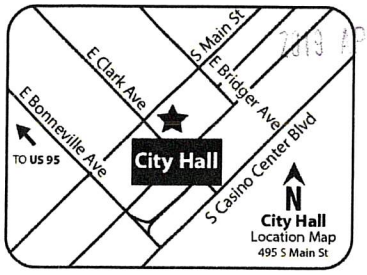

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SUP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

PRJ-75666
16204710044
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

1 1 5 BRDGNP1 89116

City of Las Vegas
Office of The City Clerk
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Las Vegas, Nevada 89101

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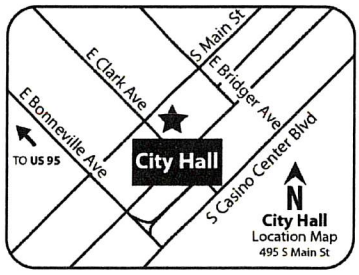

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SUP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

PRJ-75666
16204710045
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

1 1 5 BRDGNP1 89116

City of Las Vegas
Office of The City Clerk
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Las Vegas, Nevada 89101

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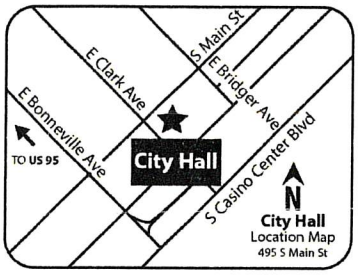

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16204710046
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

1 1 5 BRDGNP1 89118

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Office of The City Clerk
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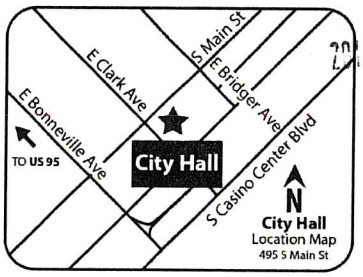

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16204710047
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

1 1 5 BRDGNP1 89118

City of Las Vegas
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Las Vegas, Nevada 89101

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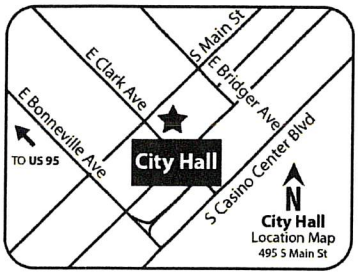

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16204710048
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

115 BRDGMP1 89119

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Las Vegas, Nevada 89101

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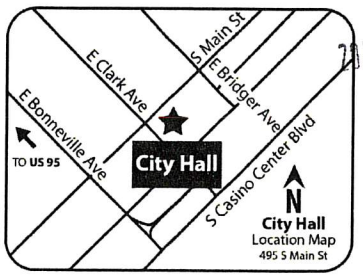

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16204710049
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

115 BRDGMP1 89119

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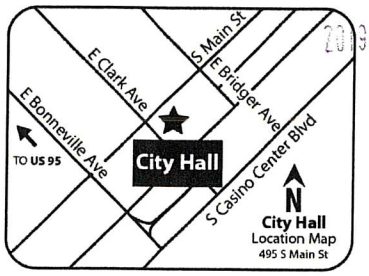

PRJ-75666
16204710050
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

115 BRDGNP1 89118

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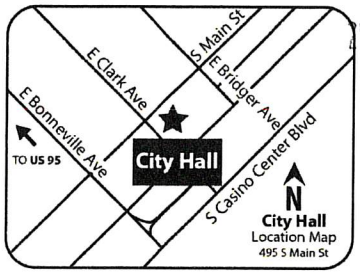

PRJ-75666
16204710051
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

115 BRDGNP1 89118

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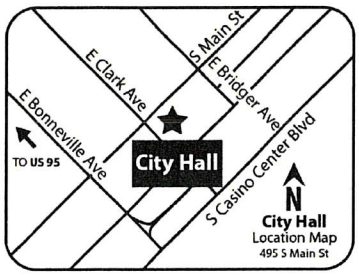

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SUP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

PRJ-75666
16204710052
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

115 BRDGNP1 89118

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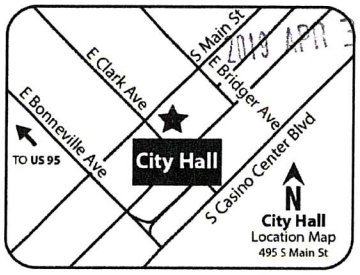

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SUP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

PRJ-75666
16204710053
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

115 BRDGNP1 89118

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Office of The City Clerk
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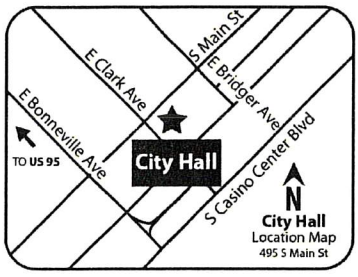

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16204710054
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

1 1 5 BRDGNP1 89118

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Office of The City Clerk
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Las Vegas, Nevada 89101

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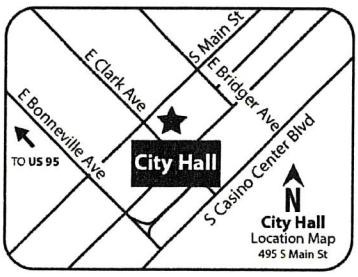

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16204813059
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

1 1 5 BRDGNP1 89118

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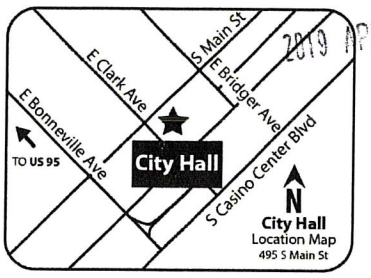

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16204813060
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

115 BRDGNP1 89118

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

LAS VEGAS
NV 890
24 APR '19
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Las Vegas, NV
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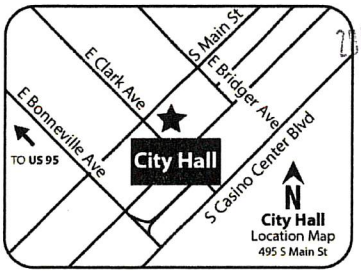

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16204813061
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

115 BRDGNP1 89118

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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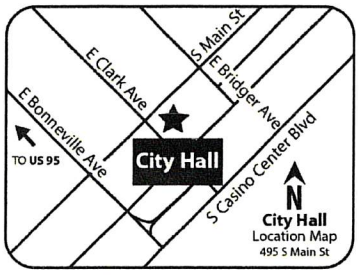

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16204813084
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

115 BRDGNP1 89118

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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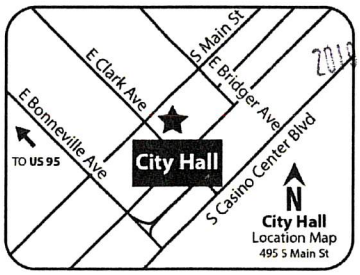

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16204813085
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

115 BRDGNP1 89118

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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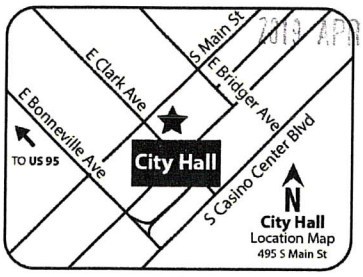

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16204813086
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

115 BRDGNP1 89118

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

LAS VEGAS NV 890
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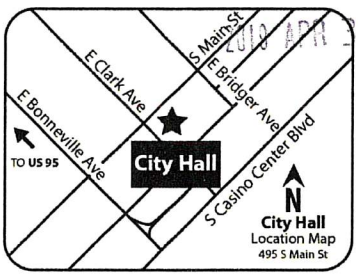

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City Council Meeting of **May 1, 2019**

PRJ-75666
16204813087
STRATOSPHERE GAMING L L C
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LAS VEGAS NV 89118

115 BRDGNP1 89118

City of Las Vegas
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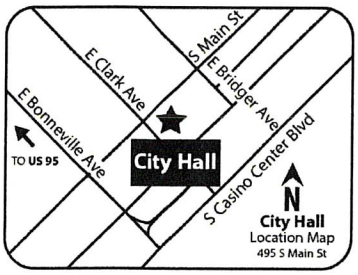

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SUP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

PRJ-75666
16204813088
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

115 BRDGMP1 89119

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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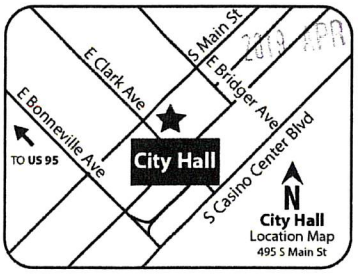

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SUP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

PRJ-75666
16204813089
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

115 BRDGMP1 89119

City of Las Vegas
Office of The City Clerk
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Las Vegas, Nevada 89101

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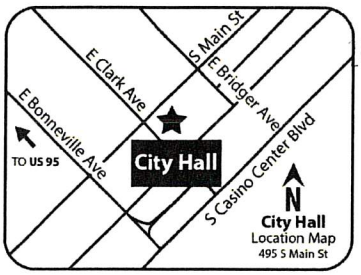

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16204813091
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

115 BRDGNP1 89118

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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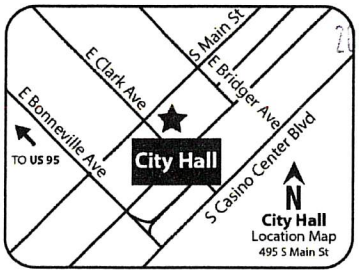

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City Council Meeting of **May 1, 2019**

PRJ-75666
16204813092
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

115 BRDGNP1 89118

City of Las Vegas
Office of The City Clerk
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Las Vegas, Nevada 89101

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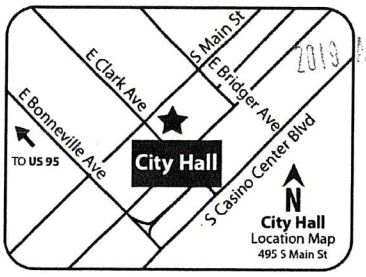

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City Council Meeting of **May 1, 2019**

PRJ-75666
16204813093
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

115 BRDGNP1 89118

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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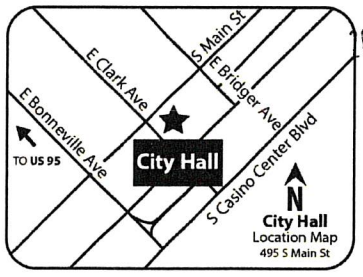

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City Council Meeting of **May 1, 2019**

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STRATOSPHERE GAMING L L C
6595 S JONES
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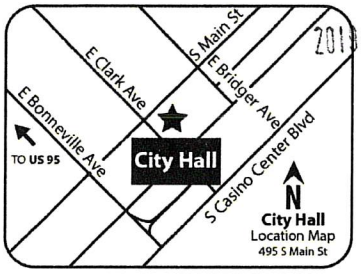

PRJ-75666
16204813095
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

115 BRDGNP1 89116

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Permit No. 1630

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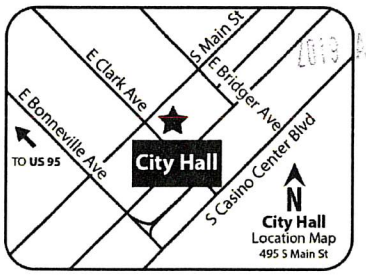

PRJ-75666
16204813096
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

115 BRDGNP1 89116

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Las Vegas, NV
Permit No. 1630

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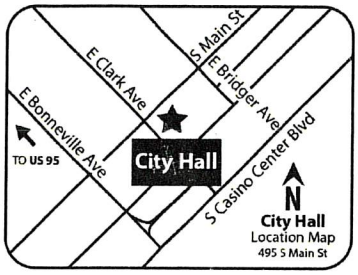

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16204813097
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

1 1 5 BRDGMP 1 89116

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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NV 890
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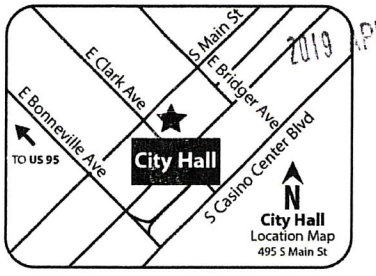

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16204813098
STRATOSPHERE GAMING L L C
6595 S JONES
LAS VEGAS NV 89118

1 1 5 BRDGMP 1 89116

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2019 APR 22 A 8:57

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Las Vegas, NV
Permit No. 1630

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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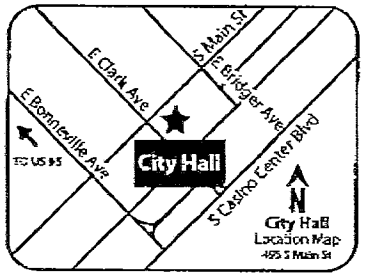

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-75722 PRJ-75666

City Council Meeting of **May 1, 2019**

PRJ-75666
16210114441
GORDON STEPHEN A & GAIL M FAM TR
GORDON STEPHEN A TRS
P O BOX 11028
LAS VEGAS NV 89111-1028

CDrous + Pathetic

33 BRDCNP1 89111

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2019 APR 22 P 1:10

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Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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☒ I OPPOSE this Request

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

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PRJ-75666
162048151 49
ANTHONY DENNIS J & ANTONIETTA S
21 RUTGERS ST
WEST ORANGE NJ 07052

36 BROOKMAN 07052

2019-04-22 16:06 fax 1232 >> P 1/1

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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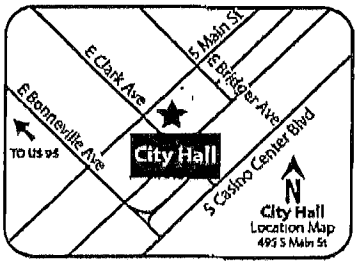

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-75722 PRJ-75666
City Council Meeting of **May 1, 2019**

PRJ-75666
16210114204
YERUSHALMI RAPHAEL
345 HILLSIDE AVE
WILLISTON PARK NY 11596-2130

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CONNOR & CONNOR PLLC

ATTORNEYS AT LAW

2580 ANTHEM VILLAGE DR., HENDERSON, NV 89052

July 12, 2019

Reference No. 100.112

Via Email Only
Clark Natural Medicinal Solutions
Dr. Pejman Bady
2795 Brooks Ave.
North Las Vegas, NV 89032
pbady@me.com

Re: Distance Separation Requirements Adopted by Assembly Bill 533

Dear Dr. Bady,

Below you will find a description of the distance separation requirements recently adopted by Assembly Bill 533.

Assembly Bill 533 (AB533) Section 216.3 amended Nevada Revised Statutes (NRS) 453A.322 to include that no medical marijuana establishment located in a county whose population is 100,000 or more, may be located within 1,500 feet of an establishment that holds a non-restricted gaming license. **This amendment is currently in effect.**

AB533 Section 216.7 amended NRS 453D.210 to include that no marijuana establishment located in a county whose population is 100,000 or more, may be located within 1,500 feet of an establishment that holds a non-restricted gaming license. **This amendment will take effect on November 23, 2019.**

However, for both medical and adult use marijuana establishments, the establishments holding the non-restricted gaming license must have existed on the date on which the application for the proposed medical and adult use marijuana establishment was submitted to the Department.

Please be aware that these distance requirements are in addition to the previously adopted distance separation requirements contained within the Nevada Revised Statutes. Furthermore, medical marijuana establishments and adult marijuana establishments are required to comply with the distance separation requirements of the appropriate local jurisdictions.

Sincerely,

CONNOR & CONNOR PLLC

By: _____
KEVIN M. BRENNER, ESQ.

KMB/glg

Tel: (702) 750-9139

Fax: (702) 749-5991

Submitted at City Council
City Council - Page 1453
Date 7/17/19 Item 83
By: George GARCIA

GCGARCIA
A Planning & Development Services Corporation
1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimilie: (702) 435-0457

286
+ 40
296

Marijuana Dispensary At Las Vegas Blvd & Sahara Petition in Support or Do Not Oppose

We the undersigned support, or do not oppose, the proposed new business tenant at the corner of Las Vegas Blvd & Sahara for a Marijuana Dispensary (Medical & Recreational). This location will serve tourists as well as the local community. The dispensary will begin the revitalization of this gateway shopping center. The Dispensary will boost the local economy with new customers, increase property values, creation of construction and permanent jobs and add a source of increased tax base for the city and state.

NAME (print)	ADDRESS	SIGNATURE	DATE
Diana Suffold Cooks	1327 H. Bldg 1 #309	Diana Suffold Cooks	7/13/19
Chandler Cooks	1327 H St. Bldg 1 Apt. 309		7/13/19
Damian Herbert	3908 N. Carolina Moon ave		7/13/19
Nicholas Toscas	5182. Dillingham DR.		7/13/19
Johnathan Carpenter	4446 Mariana Cir.		7/13/19
Dignan Madison	460 Nellis Ave		7/13/19
Kelly McGaughey	2109 Ryan Ave	Kelly McGaughey	7/13/19
Tina Fails			7-13-19
Warren Stallion	401 East Charleston	Warren Stallion	7/13-19
Star Whitaker		Star Whitaker	7-13-19
Larry Edmonson	3201 S Majave Rd		7-13-19
Michelle S. Garrison	4895 E. Carey Ave		
Eugene Edwards	3950 Mountain vista St.		7/13/2019
Brian Condon	2700 Las Vegas Blvd S. Unit 3407		7/13/2019

Submitted at City Council
Date 7/17/19 Item 83
By: George Garcia

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NAME (print)	ADDRESS	SIGNATURE	DATE
Jessica Trujillo	8625 W Russell Rd #114	Jessica Trujillo	7-9-19
Taiyire Shabazz	9451 W Hacienda	T Shabazz	7-9-19
Krystal Chambers	7211 S. Las Vegas blvd.	K-Chambers	7-9-19
Gloria Smalaw	(M&M Soul Food	[illegible]	7/9/19
DOT MAVER	Super Pawn 5471 BROOKDALE	Dot Maver	7/9/2019
Marley Entrada	Pacific Island taste 1128 Charleston	[illegible]	7-9-19
Bill Ceratoz	O'Riely auto 2029 Charleston	[illegible]	7-9-19
Joseph Agliata III	10654 Angelo Tenerro AVE LV NV 89135	Joseph Agliata	7-9-19
Nina Cavanee	3684 Paradise Road G 1083	Nina	7/9/19
Melinda Dirks	2700 S. LV BLVD 89109	Melinda Dirks	7/9/19
Parisa Sahebi	2700 S. LV Blvd. 89109	P Sahebi	7/9/19
David Barnhill	2700 LAS VEGAS BLVD S. 2803 89109	[illegible]	7/10/19
Margarita Nelson	4521 E BONANZA BLVD 89110	[illegible]	07/10/19

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NAME (print)	ADDRESS	SIGNATURE	DATE
Shawni Davis	161 Quartzite Ave		7-16-19
Anthony Villa	4991 Pawnee Place		7-16-19
Leon Roblek	10786 Avenzano St		7/16/19
Daniel Chapman	1317 charmast LN		7/16/19
Christin LaPreta	409 Antelope Way		7/16/19
Mike Clarum	9611 Hawaiian Summer St.		7/16/19
Taylor Tobin	2755 W. Pebble Rd #306		7/16/19
Brandon Damman	3926 Ponderosa Way		7/16/19
Jesse S. Lucero	3926 Ponderosa Way		7/16/19
ANTHONY CANDITO	3926 PONDEROSA WAY		7/16/19
Marie Hansen	4006 Cotton Seed Ct	Marie D Hansen	7/16/19
Carson Hansen	4006 Cotton Seed Ct		7/16/19
Shelby Stanley	5237 Westleigh Ave		7/16/19

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NAME (print)	ADDRESS	SIGNATURE	DATE
Anna Magnani	1225 Spring Breeze Cir. 89031		7.12.19
Lisa Vick	4033 Sun Stream CT, 89103	Lisa Vick	7.12.19
Eric Green	73 Hamere Falls Dr, 89138		7.12.19
Michael Sassano	9811 W. Charleston Blvd		7.12.19
Lewin Wilson	~~7345~~ 7344 Nautical St		7.12.19
Peter Haggerty	8811 Sandringham, Las Vegas NV		7-12-19
Daniel Swanson	4478 Willowhill ct LV. NV.		7.12.19
Jordan Anderson	1700 Alta Dr. Apt 2102		7/12/19
James Young	5419 W. Tropicana Ave		7/12/19
Shay Tainter	1608 Eagle Peak Way		7/12/19
Ryan Paton	3471 Birch Brook Ct		7/12/19
Sara Rose Kennedy	5471 Birchbrook Ct		7/12/19
Rachel Miller	1350 N Town Center Dr. Unit 2013 Las Vegas, NV 89144		7/16/19

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NAME (print)	ADDRESS	SIGNATURE	DATE
Shane Kennedy	10975 Royal Highlands St Las Vegas, NV 89141		7/14/19
VIRGINIE M KENNEDY	11166 VILLA BELLAGIO DR		7/15/2019
Joseph E. Kennedy	11166 Villa Bellagio Dr		7/15/2019
NICOLE KRUCHTEN	8985 S DURANGO #1027		7.15.19
Adam Wetell	6230 McLeod Dr. Ste 100		7/15/2019
Lori Reading	6230 Mcleod Dr. #100		7.15.19
Crystal Campbell	1704 Crystal Ann Ave		7/15/19
Sheena Soto	9750 Ching Ave		7/15/19
Brandon Pierce	5250 Stewart Ave		7-15-19
Hanson Ellis	4740 chino peak ct. LV, NV 89139		7-15-19
John Tuvell	8235 River Rim Ct. LV, NV 89113		7-15-19
Priscilla England	333 Mill Hollow Road	Priscilla England	7-15-2019
ARMIN LANGENEGGER	1104 Kilkerran Court	Armin Langenegger	7-15-2019

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NAME (print)	ADDRESS	SIGNATURE	DATE
Michele Thompson	4777 Thackerville	M. Thom	7/12/19
Jay Sype Webb	2020 Sun Ave #C	Jay Sype Webb	7/14/19
KATHRYN THOMPSON	4777 Thackerville		7/14/19
SAMUEL JENNINGS	8308 BISMARCK SAPPHIRE ST		7/14/19
ANTHONY NAPOLITANO	2018 CHAMPAGNE TOPAZ LN.		7/15/19
Jason Mathson	6230 McLeod Dr Ste. 100		7/15/19
Zachary LoBello	8550 W Desert Inn Dr		7/15/19
Jacob Silverstein	330 S 7th St		7/15/19
Lesley Martinez	6230 McLeod Dr. Ste 100	L. Martinez	7/15/19
Stephen Richards	2324 Sky Island Dr		7-15-19
Randy Eng	10853 Arrowhead Ave		7-15-19
Griffin Schiffer	2180 E Warm Springs		7-15-19
Krystyna Kwiatkowsk	5712 ROSE TIARA	K.K.	7/15/19

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NAME (print)	ADDRESS	SIGNATURE	DATE
MIROSLAV TARACKI	170 ROLLING FIELDS CT, NV 89012	[signature]	
Kristin Ehasz	2244 Summerwind Cir 89052	[signature]	7.12.19
Jake Bennett	256 prudance ct 89074	[signature]	7-12-19
Joshua carrillo	3990 Las vegas BLV 89115	[signature]	7-15-19
Hau'son Ellis	4740 chino peak court LV, NV, 89139	[signature]	7-15-19
Michael Hernandez	8425 Aspenbrook Ave LV, NV 89145	[signature]	7-15-19
Odilia Station	4987 orinda circle 89120	[signature]	7-15-19
Stephan Neelsen	800s Bolling Rd Sp lw	[signature]	7-15-19
André Sullivan	830 Coastal Beach Rd. 89002	[signature]	7-15-19
Kate Sullivan	830 Coastal Beach Rd 89002	[signature]	7-15-19
Jeff Brohm	821 Coastal Beach Rd 89002	Jeff Brohm	7-15-19
[illegible] Aseto	~~9570~~ 9750 Cluny Ave	[signature]	7-15-19
Joseto Savelio	2150 E Warm Spring Rd. #2051	[signature]	7-15-19

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NAME (print)	ADDRESS	SIGNATURE	DATE
Tyler Paterson	222 Kalen Ave	[signature]	7/12/19
Jason Smith	5036 Wild Creek Falls Way	[signature]	7/12/19
[illegible]	5601 Mossman Ave.	[signature]	7/12/19
Cody Cunningham	5250 Stewart Ave	[signature]	7/12/19
Liam Crawley	3663 Algonquin DR	[signature]	7/12/19
Cory Harris	1312 So. 6th St.	[signature]	7.12.19
Wendy Gelbart	4921 Fiesta Lakes	[signature]	7.12.19
John Hesser	1438 Lorraine Ave #14	[signature]	7-12-19
Kellen Braddock	3041 Yankee Clipper	[signature]	7-12-19
Lille Allen	4595 Plum Island Ct	[signature]	7-12-19
Bill Land	2015 Blue Ribbon Dr.	[signature]	7-12-19
Matt Beach	1800 Green Valley Pkwy	[signature]	7/12/19
Katarina Simic	150 Las Vegas Blvd N.	[signature]	7/12/19

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NAME (print)	ADDRESS	SIGNATURE	DATE
Hector Marquez	2103 Western AV Pizza Daddys Delights	[signature]	7/10/19
Dawn Murdock	2020 Fire extinguish Service Western Ave	Dawn Murdock	7-10-19
Carlos Perez	2018 Janitorial Solutions Western ave	[signature]	7/10/19
Miguel Funes	1824 Franklin AV	[signature]	07/10/19
Cristian Ascencio	1934 Western Ave	[signature]	7-10-19
Moxy Lopez	2621 S. Highland	[signature]	7-10-19
[illegible]	2621 S Highland	[signature]	7-10-19
Matthew [illegible]	11231 [illegible] Park	[signature]	7-10-19
Alan Rosenthal	6824 Armstead St.	[signature]	7-11-19
Antonio Roybal	18 Pangloss ST	[signature]	7-11-19
Saman Kalantari	2700 Las Vegas Blvd.	[signature]	7/11/19
DAVID	2338 N GREEN Valley	[signature]	7-11-19
Miriam Robledo	7600 S Rainbow	[signature]	7-11-19

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NAME (print)	ADDRESS	SIGNATURE	DATE
Sterling Tidwell	2416 Tam Dr.		7/10/19
Danny Poretta (CBD Stone)	305 9th Street 89101 LV.		7.10.19
Amber Deputy	10695 Dean Martin #1203 Las Vegas NV 89141		7/10/19
Claudia Perata	10660 medicine bow St.		7/10/2019
Claudine Cruz	3176 via Kellars		7/10/19
Maria Nunez	1444 Briggs CT LV, NV 89110		7/10/19
Tatima Leeks	223 Fairway Woods Dr Las Vegas, NV 89148		7/10/19
Patricia Granja	10464 Mulvaney Circle Las Vegas NV 89141		7/10/19
Kathy Schultz	133 Strone St. Henderson, NV 89012		7/10/19
Granelle Martinez	10004 Lago de coco Las Vegas NV 89148		7/10/19
Lianna DeLaRiva	5956 magic oak st N. las vegas NV 89031		7/10/19
TRISHA LEE	73 AVOCADO GARDEN LV, NV		7/10/19
Kenya Montes	5278 Lowell Ave LV, NV 89110		7/10/19

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NAME (print)	ADDRESS	SIGNATURE	DATE
Travis Pozi	9901 W Sahara ave. 2009.		7.12.19
Lynn Blaylock	2700 Las Vegas Blvd.		7-12-19
Emily Mendoza	2700 Las Vegas Blvd		7.12.19
Lorenzo Masias	2700 Las Vegas Blvd		7.12.19
Joseph Ferrara	2700 Las Vegas Blvd		7-12-19
Maquan Thomas	1328 Silver Lake Dr		7.12.19
Kelvin Gordon	1909 Gregory St		7.12.19
Desirae Martin	1704 Fairfield ave		7-12-19
Javier Avalos	3431 Silver Dollar		
Shawntavia Hilliard	4995 S Maryland		7-13-19
Ricky Manning			7-13-19
Matthew Grover	4401 Doverplace L.V.		7-13-19
Devon Summers	3304 Calle de corrida LV NV		7-13-19

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NAME (print)	ADDRESS	SIGNATURE	DATE
Ruby Gonzales	8370 St Rose Pkwy, Henderson, NV 89052	[signature]	7/10/19
Erich Forrer	2111 Industrial	[signature]	7/10/19
Samuel Sardanescu	2201 Industrial Rd	[signature]	7/10/19
Belen Noriega-Palos	Hi Tech Auto	Belen Palos	7/10/19
Belen Noriega Palos Müller construction	2133 Industrial Rd	Belen Noriega Palos	7/10/19
[illegible]	7-11 200 Boston ave	[signature]	7/10/19
[illegible]	1545 W. Oakey Blvd	Nathan Craig	7/10/19
Darby Chamness	1545 W. Oakey Blvd	Darby Chamness	7/10/19
Thania Mejia Romero	LED Whoksae 1523 W. Oakey Blvd	Amejia Romero	7/10/19
Maria Malaspina	9501 W. Sahara	[signature]	7/10/19
Paige Beltjens	699 Blue Barrel St	[signature]	7/10/19
Kristina Dulgarov	6494 Coffeeville Creek Dr	[signature]	07/10/19
Lili Luchkova	2103 Western Ave	[signature]	08/10/19

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NAME (print)	ADDRESS / Business	SIGNATURE	DATE
Margaret Presley	4006 Cotton Seed Ct NLV, NV 89031	Margaret Presley	7/8/19
Adam Mancebo	4006 Cotton Seed Ct NLV, NV 89031	[illegible]	7/8/19
Hiran	4052 S. Main St	[illegible]	07/09/19
Cindy Wang	Paradise Massage 2221 Paradise	[illegible]	07/09/2019
Geri Robinson	2211 Paradise Rd.	[illegible]	7/9/19
Samuel S. Anton	Samuel S Anton law firm	Samuel S Anton	7/9/2019
Skyler Armstrong	2213 Paradise Rd/State Farm	[illegible]	7/9/2019
Jeff Won	2213 Paradis Rd/State farm	[illegible]	7-9-19
Jonah Hagan	2213 Paradise Road/State farm	[illegible]	7-9-19
Nancy Kim	2213 Paradise Rd.	[illegible]	7/9/19
Majid Daneshforouz	2201 Paradise Rd.	[illegible]	7/9/19
Ray Johnson	2120 Paradise Rd House of Silk	[illegible]	7/9/19
Samantha Dixon	2140 paradise rd	[illegible]	7/9/19

11.

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NAME (print)	ADDRESS	SIGNATURE	DATE
Juan Sandoval	573 River Bed St.	[signature]	21/12/2019
George Glasper	6925 Singing Dunes Lane	[signature]	07/16/2019
Johnson, Shay	2151 Citrus Ave 89106	[signature]	7/16/2019
Samantha Stair	3425 W Rush Ave 89141	[signature]	7/16/2019
Jeffrey Mathis	2915 Dodi Crane	[signature]	7/16/2019
Detric Cullins	6411 Rosemount Ave	[signature]	7/16/91
Jamar Morris	1827 W Gowan 89032	[signature]	7/16/19
Norene Shaw	1827 Gowan	[signature]	7/16/19
Kaitlyn Hansen	4006 Cottonseed Ct	Kaitlyn C Hansen	7/16/19
Nathaniel Pleasant	5150 Spyglass Hill dr.	[signature]	7/16/19
Pejman Baby	2700 Las Vegas Blvd #2709	[signature]	7/16/19

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NAME (print)	ADDRESS	SIGNATURE	DATE
DUVAL Marlene	2700 LASVEGAS BLVDS # 402	[signature]	7/10/19
STEPHAN LEE	3466 LORILOU LANE	[signature]	7/10/19
RAPHAEL ARVICI	9028 Cypress point	[signature]	7/10/19
Marianne Hawthorne	322 W. SAHARA (CARRIONI)	MARIANNE HAWTHORNE	7-10-19
Jelani Daniel	322 W. Sahara (CARRIONI)	[signature]	7-10-19
Brad Andrews	5600 Boulder Highway B308	[signature]	7-10-19
Alan Emben	2728 Windscrum Ave	[signature]	7-10
JOE GIANNONE	200 W. SAHARA #604 (Fuego)	[signature]	7-10
Joe Falcio	7950 W FLAMINGO	JOE FALCIO	7-10
Frank Cullotta	850 E. Desert inn	Frank Cullotta	7/10
Kim Palmer	7363 Rising Port	KPalmer	7/10
		(The Mint) BAR	7/10/19

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1055 Whitney Ranch Dr., Suite 210, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimilie: (702) 435-0457

Marijuana Dispensary
At Las Vegas Blvd & Sahara
Petition in Support or Do Not Oppose

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NAME (print)	ADDRESS	SIGNATURE	DATE
Jose Luis González	2202/Paradise Rd/711 Seven 11	[signature]	9/9/19
Anthony McGarry	2202/Paradise 7/11	Anthony McGarry	9/9/19
Angela Quenga	2210 Paradise rd-Bourbon Street	[signature]	09/9/19
Tirrell Nunez	2109 Belmont St	[signature]	7/9/19
Aaron Agee	2222 Paradise Rd	[signature]	7/9/19
[signature]	2246 Paradise (Burbon St)	[signature]	7/9/19
Chriss McKissick	2427 Las Vegas Blvd. wallgren	Chriss McKissick	7/9/19
Roijan Balderas	1600 Palmales St wallgren	[signature]	7/9/19
Cherry Schuler	2429 LAS VEGAS BLVD	Cherry Schuler	9/9/19
RAYDER SCOUCE	2310 S. Las Vegas Blvd Golden Skull Tattoo wallgren	[signature]	9/9/19

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NAME (print)	ADDRESS	SIGNATURE	DATE
MIRANDA A.	2310 S. LV BLVD. Diversity Tattoo (Circle K)	Miranda	07.09.19
LEILANI C.	2308 S. Las Vegas BLVD		07-09-19
Sherry J	2308 S. LV BLVD (Circle K)	Sherry	7/9/19
Robyn Bevan	elite premia Tours	Robyn Bevan	7-9-19
Eva Salazar	5 dollar Cafe 2200 Las Vegas Blvd #104		7-9-19
Lillian Thy	2207 LAS VEGAS BLVD Little Vegas Chapel		7/9/19
Jazz W.	515 S. 13th Ste	Williams	7/9/19
Kaylla Brady	2211 S Las vegas NV		7/9/19
Ashley Hernandez	4330 Melrose Ave		7/9/19
Tyler Leonard	7000 S. Paradise Rd		7/9/19

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NAME (print)	ADDRESS/Business	SIGNATURE	DATE
Gregg Grant	5150 Spyglass Hill Dr Storegate apt.	[signature]	7-10-19
aldo avalos	6908 Cherry Grove Ave	[signature]	7/10/19
HADDEE MARTINEZ	5748 CHRISTY LN Window Tint Sahara	[signature]	7/10/19
Albert Anthony	4225 E Sahara Nue Car Port Car Parts	[signature]	7/10/19
TERRY GATES	2650 S. MARYLAND	[signature]	7/10/19
Martha Munoz	2649 S. Maryland	[signature]	7/10/19
Cheliese Mossett	557 Ellen Way	[signature]	7/10/19
Maria Navarrete	4108 N. Decatur Blvd	[signature]	7/10/19
Arturo Salas	3213 outrider ct.	[signature]	7/11/19
Michelle Smith	4774 Valley Side	[signature]	7.11.19

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NAME (print)	ADDRESS	SIGNATURE	DATE
Brenyon Lindsey	4485 Penn Wood Hve		7/13/19
Samuel Caldwell	8452 Boseck Dr UNIT 203		7/13/19
Michelle Medrano	2801 Wyandotte St. #24 LVNV 89102	Michelle Medrano	7/13/19
Zarnese Lemmons	301 orlando st #29		07/13/19
Christian Person	4505 Paradise RD		07/18/19
PRAPOR MANGUBAT			07-13-19
Jennifer Dunn	7280 Las Vegas Blvd S #107		7/18/19
Richard Martinez	4525 945 6422		7/13/19
DeAndre Smith	2655 E Desert Springs Way		7-13-19

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NAME (print)	ADDRESS	SIGNATURE	DATE
Aviteza Williams	5005 North las vegas	Aviteza Williams	7.10.19
Shanese Long	6055 N Rainbow Riley St 89149	Shanese Long	7.10.19
Jasmine Smith	735 Elliot Peak Ave 89183	Jasmine Smith	7.10.2019
Amanda Renteria	1911 McMurray Dr. Pahrump NV 89060	Amanda Renteria	7-10-2019
Tiffany Watson	11173 Sundad st. Las Vegas NV 89179	Tiffany Watson	7.10.19
Lizette Espinoza	6550 Monterey Vista Ct Las Vegas NV 89156	Lizette Espinoza	7.10.19
Andrea Sandoval		Andrea Sandoval	07.10.19
tymiah mitchell	2675 S. Nellis Blvd #1009	tymiah mitchell	07/10/19
Christine P. Ethridge	11231 Hinson Ave #202	Christine P. Ethridge	7/10/19

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NAME (print)	ADDRESS	SIGNATURE	DATE
Avi Kaplan	230 E Flamingo #334		7/12/19
Coty Evans	9412 Players Canyon		7/16/19
Heather Harmon	5446 Spencer St		7/16/19
Tim Barnett	900 S 1st St		7.16.19
NICHOLAS ACHOR	901 FREMONT ST		7.16.19
FRANKIE CARRIO	5035 E. RUSSELL RD.		7/16/2019
Tony Dodge	1714 Millstream Way		7/16/2019
Kalani wright	221 S 10th St		7.16.19
NICK MSPARTOS MD	2960 Augusta Dr LV NV 89109		7/16/19
Pouya Mohajer	2700 Las Vegas Blvd S Unit 3311 Las Vegas NV 89109		7/16/19

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NAME (print)	ADDRESS	SIGNATURE	DATE
Hugo Esparza	3373 Wynn RD, 89102		7/16/19
Mike Hutchinson	3373 Wynn RD. 89102		7/16/19
Jesus M. Quinones	3635 Pimento st 89032		7/16/19

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NAME (print)	ADDRESS	SIGNATURE	DATE
Kimberly Caguitla	3017 Blush Noisette Ave 89031		7/11/19
Alicia Eunice	6324 Elman Wy 89107		7/11/2019
DreAnna Darling	4784 Belshire Dr. 89147		7/11/2019

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NAME (print)	ADDRESS	SIGNATURE	DATE
Theresa Huffaker	6250 W. Arby Ave.	Huffaker	7/11/19
GLADYS J HUFFAKER	6250 W. Arby Ave	Gjhuffaker	7/11/19
Armando Lara	6250 W ARBY ave		7/11/19
Ashley M Love	4592 Laguna Vista St.	Ashley M Love	7/13/19
Laurie R. Love	4592 Laguna Vista St	LR Love	7/13/19
TIMOTHY HUFFAKER	1111 N. LAMB BLVD.	T. Huffaker	7/14/19
Daniel Fox	5816 Knight Ave.	Daniel Fox	7/14/19
Jennifer Hardin	1278 Capitol Cairn #3	J Hardin	7/14/19

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NAME (print)	ADDRESS	SIGNATURE	DATE
Claudia Molina	2519 Glory View Ln		7/15/19
Luis Ramirez	6656 Silverstream		7-15-19
Nadira Quezada	3760 Hollycroft dr.		7.15.19
Josef Salazar	8509 Chapman Ravine		7.15-19
[illegible]	788 Wind Drift Pl		7/15/19
Alberto Cortes	3510 Nestled Oak		7/15/19

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NAME (print)	ADDRESS	SIGNATURE	DATE
Maria Navarrete	4108 N. Decatur Blvd	[signature]	7/13/19
Jesus Ibarra	4108 N. Decatur Blvd	[signature]	7/13/19
Luz de Maria	Salinas 4108 N. Decatur	[signature]	7/13/19
Linda Ibarra	2613 Donna St	[signature]	7.15.19.
Nelly B Perez	718 Turtleback Dr.	[signature]	7/15/19
Charles T. Coley	3300 East Charleston	[signature]	7-15-19
Carlos Ramirez	5350 Cedar Ave	[signature]	7/15/19
Gina Prado	3518 Odium Point LN	[signature]	7/15/19
Unatica Breaux	6112 Seafrance Ct	[signature]	7.15.19
Gabriel Salazar	3913 Prescott Pines St Unit 103	[signature]	7-15-19
Sofia Navarrete	3840 Nestled Oak Ave.	[signature]	7-15-19
Alva Avila	1492 N. Lamb Blvd 2045 89110	[signature]	7-15-19
Abel Reyes	8345 Tribute In	[signature]	7-15-19

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NAME (print)	ADDRESS	SIGNATURE	DATE
Valeria C. McKeough	—	Valeria C. McKeough	13 July 2019
Marcus Miller		Marcus Miller	7-16-19
[illegible]	—	[illegible]	7-16-19
Ashwell Boyd	—	[illegible]	7/16/19
Gabriel Bass		[illegible]	7/16/19
[illegible]	—	[illegible]	
Laura Pairman	—	Laura Pairman	7/16/19
Brian Stanley		[illegible]	7/16/19
Judy Tozier	—	Judith Tozier	7/16/19
Luis Ruelas		[illegible]	7/16/19

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NAME (print)	ADDRESS	SIGNATURE	DATE
Jesse Hesmondalf	1110 Redwood Street		7-15-19
James Blackwell	2630 Sherwood St		7-15-19
Felicia Whisenant	8455 Sahara		7-15-19

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Chad Pierce	525 E St Louis Ave		7-15-19
Ma. Lourdes	1922 Fairfield Ave,		7/15/19 NO.
Luz E. Conde	1655 E. SAHARA Ave	Luz E. Conde	7/15/19 yes
Ma Evelyn Suga	2255 E. Sunset		7/15/19 NO.
Jennifer DAUGHERTY	6666 West WASHINGTON Ave 89107		7/15/19 yes
Oscar Castillo	1568 Lake mead Ave		7/15/19 yes
GLADIOLUE I. GALLARDO	3956 SPRUCE FERN LN	gigallardo	7-15-2019 yes
Maritza Hernandez	920 Desert Oak #C		7-15-19.
Carmenica Lozier	4640 Vegas Valley Dr.	Carmenica Lozier	7/15/19 yes
Esperanza Lacayo			NO
Amelia Aquino	5253 Monterey Park CIR Las Vegas NV	Amelia Aquino	7/15/19 yes
Ann Spencer	5905 Iris Ave		7/16/19
Nieves Alvarez	2155 Webster St #A NLV NV 89030		7/16/19

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Kimberly S.	2675 S Nellis Blvd. Apt 3.	[illegible]	07/13/19
Alicia G.	3150 S Decatur	[illegible]	07-13-19
[illegible]	Halcom Ave.	[illegible]	07-13-19.
Laura dela Piña	6680 Frances Celia Ave.	[illegible]	07-13-19
Alicia Ferrer	Rexford Drive, Las Vegas NV	[illegible]	07-13-19
Blanca Soria	3859 King Palm Av. N.V. 89115	[illegible]	07-13-19
Evelyn Corpus	511 E. Sahara Ave N.V 89104	[illegible]	07-13-19
Lidia Martinez	3242 Savahi St Units	L. Martinez	7-13-19
Jose Sevilla	408 Madison Av. #4 L.V. NV 89104		07-13-2019.
Beatriz Rocha	2039 Dry Falls	[illegible]	07-13-19
ROSENDO UMALI	7612 CRUZ BAY CT. LV, NV 89128		07-13-19
Amy Smith	955 E Twain Ave Las Vegas NV 89169		07-13-19
Mabel Quintanilla.	1348 Fraya dr las Vegas nv 89119		7-13-19

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NORMA CASTIL	240 W Saint Louis ave. 1	Norma Castil	7/13/2019
ANA MARIE ROLDAN	9284 BLACKWOLF AVE	[illegible]	7-13/2019
Rosario Yanez	3601 E Wyoming pkwy 252 LVNV		7-13/2019
Norma Marquez	1629 Sand glass Ave. N Las Vegas NV 89032	[illegible]	7 13-19
Pedro Alvarez	3838 Wester		7-13-19
Lynn Armstrong	714 E Nelson Ave #E NLVN 89030	[illegible]	7-13-19
Mary Rivera	6505 Hyde Ave.	[illegible]	07-13-19
Sarahi Gurrola	2362 N Green valley Pkwy	[illegible]	7.13.19
Karen Ballester	511 E Sahara ave Apt B202	~~Kat~~	7-13-19
Juan Pablo	1808 FARDFIELD AV	Juan P Hernandez	7-13-19
Adolfo Rivera	3648 Kolendo CT. APT. A LV. NV 89103	[illegible]	7-13-19
Lucio Grandall	8205 Cavanaugh Ave 89129	[illegible]	7 13 19
Jhorence Reyes	210 W. BALTIMORE AVE.	[illegible]	7.13.19

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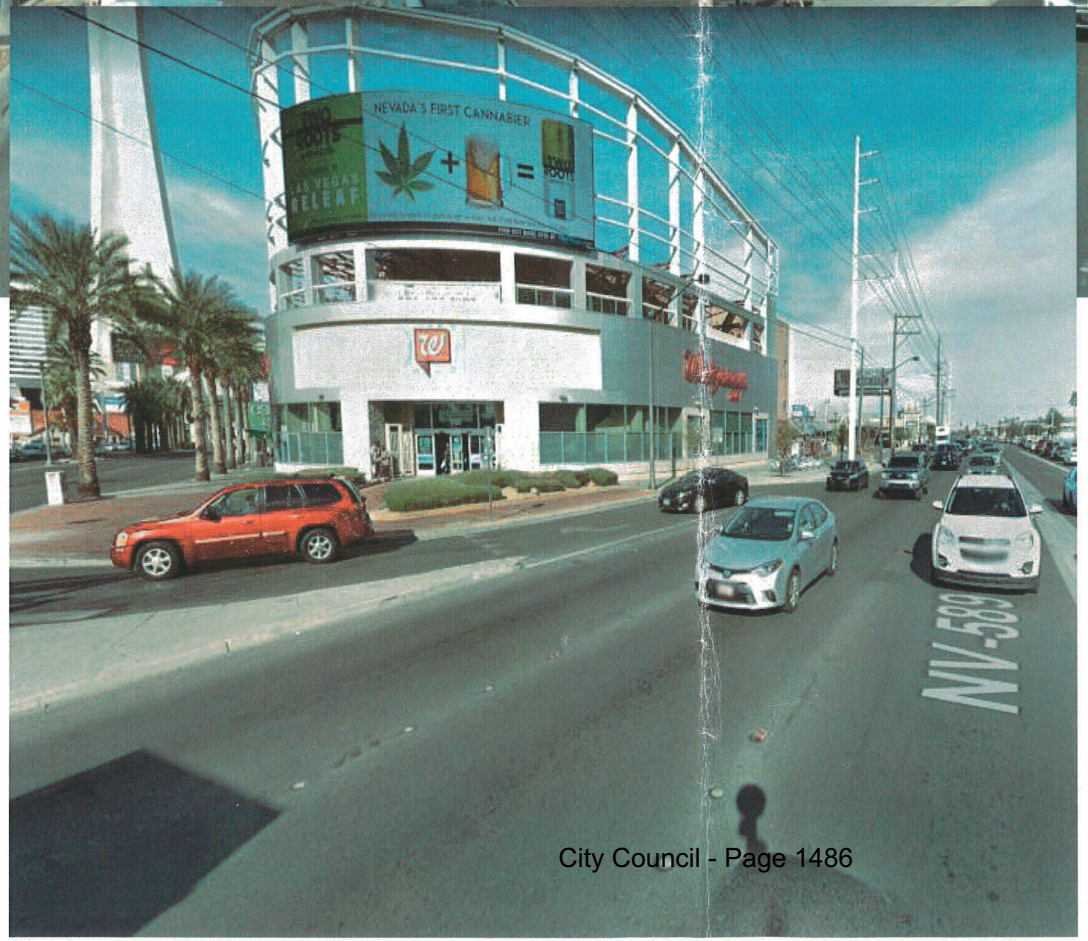
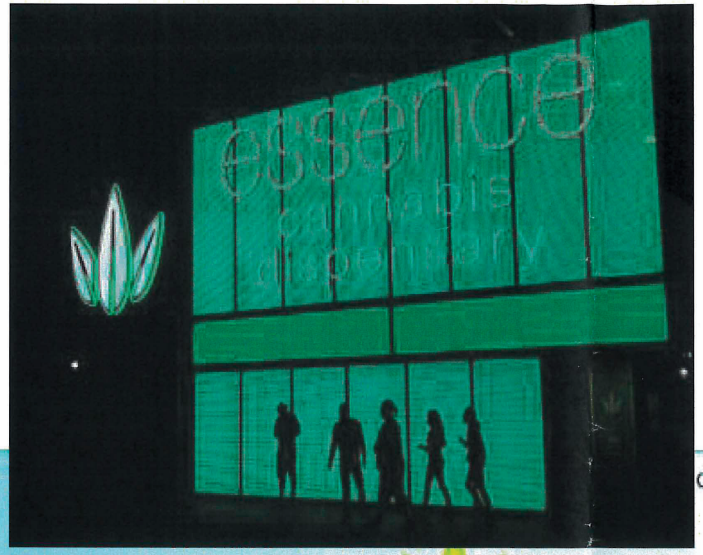
MARILINA	313 W. Cincinnati Blvd.	MSobanga	7-13-19
Regina Austin-Williams	1408 Margaret Ave	Regina Austin-Williams	7.13.19
Martha Castillo	4144 Tully ave.	Martha Castillo	7-13-19
DAVID MARTINEZ	3015 LA CANADA STREET	David Martinez Jr.	7-13-19
ROSANNE GALINDO	7184 CLEARWATER AVE	Las Vegas NV 89147	7-13-19
RODOLFO ROSALIN JR	1301 SWEETNEY AVE.	LAS VEGAS, NV 89104	7-13-19
TERRY FROMME	1624 PALM ST #103	L.V. N.V. 89104	7-13-19
Desiree Anne Barquin	4538 Lime Straight Dr	Las Vegas, NV 89115	7-13-19
David Sosa	3859 Rising palm Dr	Las Vegas NV 89115	7-13-19
Gustavo Salathiel Reyes	1401 N. Lamb Blvd	NV 89115	7-14-19
Justin Mitchell	2500 STILES AVE	NV 89104	7-14-19
Rosalinda Bacon	711 E. Sahara Ave Apt 1103	Las Vegas 89104	7-14-19
Yvette D Said	3165 Cardinal Ln	Las Vegas NV 89121	7-15-19





Submitted at City Council
Date 7/17/19 Item 83
By: George Garcia


essence
cannabis
dispensary


Las Vegas BLVD
2400
essence
cannabis
dispensary

CONTACT
KNOWLE
HOME
LOCATIONS
SHOP
essence
cannabis dispensary
MENU
DEALS
BLOG
VISIT THE ONLY DISPENSARY
ON THE LAS VEGAS STRIP
SHOP NOW
essence
cannabis
dispensary
essence
cannabis
dispensary


Strip Gun Club
Fun City
essence
cannabis dispensary
RIGHT LANE MUST TURN RIGHT
BUSES NO EXHAUST
essence
cannabis
dispensary
2307
ENTRANCE
2307
Las Vegas BLVD
2400
Cincinnati

Las Vegas Blvd & Sahara
Dispensary Establishments Existing & Proposed

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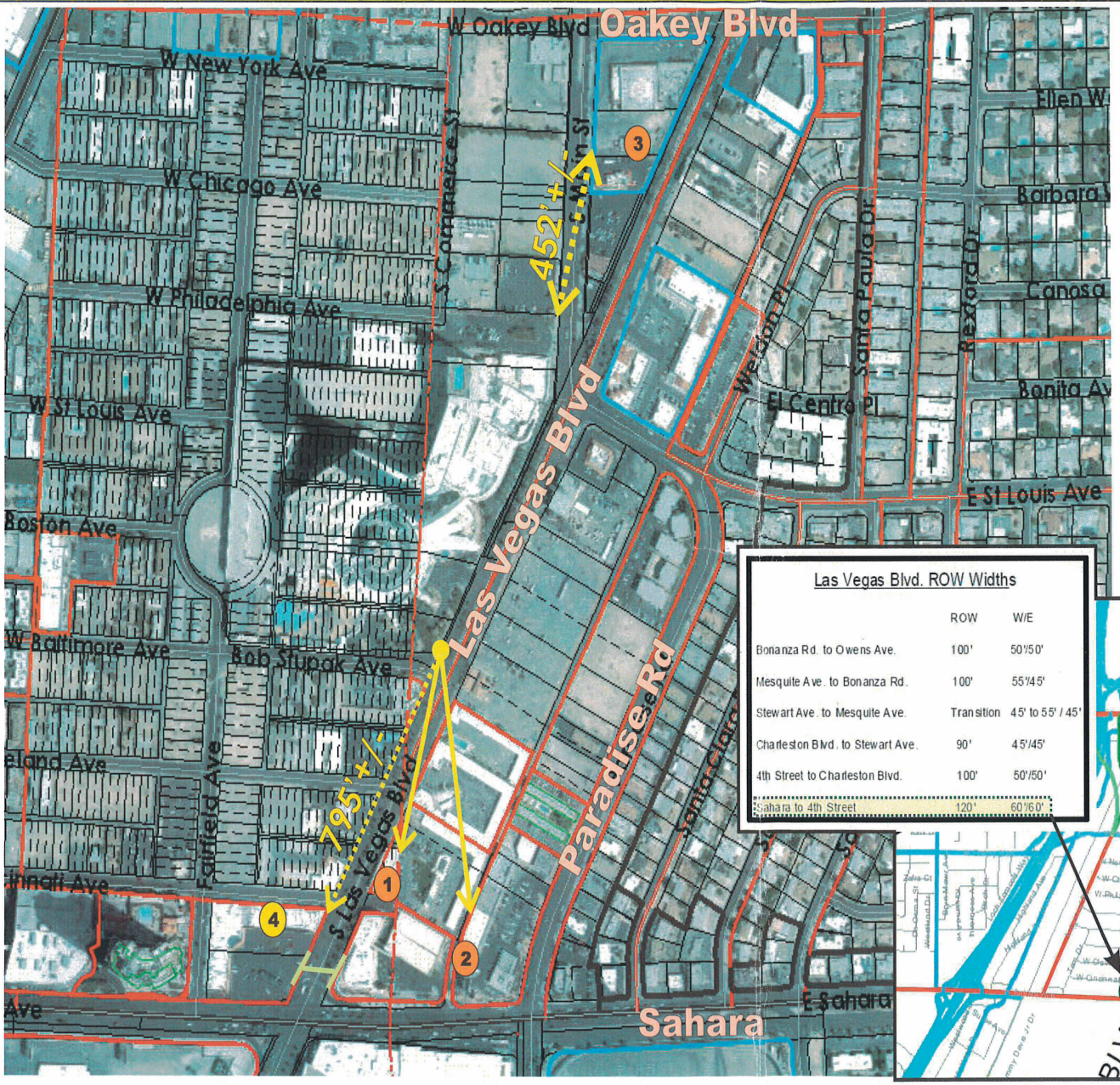
June 2019



1. **Essence Dispensary**
   2307 S. Las Vegas Blvd
2. **ReLeaf Dispensary**
   2244 Paradise
3. **Blackjack Collective**
   1736 S. Las Vegas Blvd
4. **Canopi (Proposed)**
   2424 S Las Vegas Boulevard

Las Vegas Blvd Designated a Primary Arterial at 120'

Las Vegas Blvd. ROW Widths

	ROW	W/E
Bonanza Rd. to Owens Ave.	100'	50'/50'
Mesquite Ave. to Bonanza Rd.	100'	55'/45'
Stewart Ave. to Mesquite Ave.	Transition	45' to 55' / 45'
Charleston Blvd. to Stewart Ave.	90'	45'/45'
4th Street to Charleston Blvd.	100'	50'/50'
Sahara to 4th Street	120'	60'/60'



Distance from other locations: 1 550'+/- 2 723'+/-

Submitted at City Council
Date 7/17/19 Item 83
By: George Garcia

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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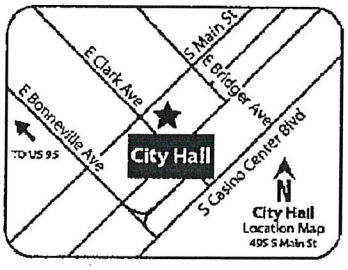

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
SUP-75722 [PRJ-75666]
Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16204815022
SMITH LARRY KIM
7510 APPLEGATE DR
HELENA MT 59602-8195

17P

2 LRDFMP1 89502

City of Las Vegas
Department of Planning
Development Services Center
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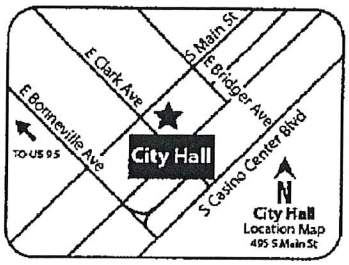

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SUP-75722 [PRJ-75666]
Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16204815022
SMITH LARRY KIM
7510 APPLEGATE DR
HELENA MT 59602-8195

Duplicate - not counted
Submitted after final agenda

Date 3/26/19 Item 17P (x2)

2 LRDFMP1 89502

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Las Vegas, Nevada 89106

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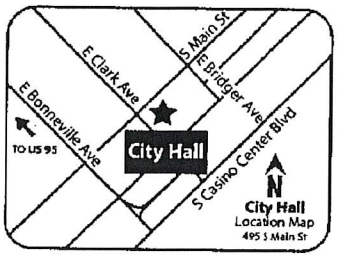

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SUP-75722 [PRJ-75666]
Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16210114350
TIEN HUEY-CHUNG
WANG ANSSO
3 PELLINGTON CT
PINE BROOK NJ 07058

17P

City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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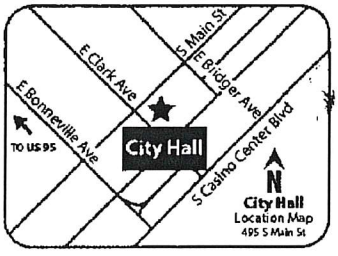

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SUP-75722 [PRJ-75666]
Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16210114350
TIEN HUEY-CHUNG
WANG ANSSO
3 PELLINGTON CT
PINE BROOK NJ 07058

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17P (x2)

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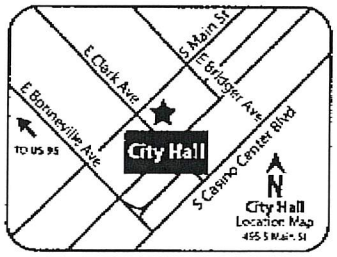

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SUP-75722 [PRJ-75666]

Planning Commission Meeting of **03/26/2019**

Kelly T

39 LADFNP1 89111

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City of Las Vegas

SUP-75722 (PRJ-75666)
16210114441
GORDON STEPHEN A & GAIL M FAM TR
GORDON STEPHEN A TRS
P O BOX 11028
LAS VEGAS NV 89111-1028

Mar 18 19 07:08a Stephen A. Gordon 702-893-2201 p.1

17P

Mar 18 19 07:09a Stephen A. Gordon 702-893-2201 p.1

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Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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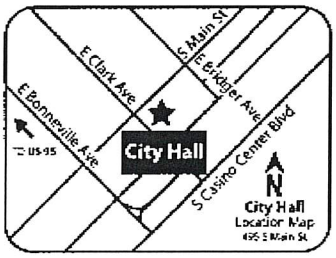

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☒ I OPPOSE this Request

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SUP-75722 [PRJ-75666]

Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16210114441
GORDON STEPHEN A & GAIL M FAM TR
GORDON STEPHEN A TRS
P O BOX 11028
LAS VEGAS NV 89111-1028

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Anthony

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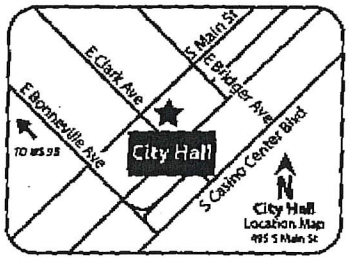

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SUP-75722 [PRJ-75666]
Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16204815149
ANTHONY DENNIS J & ANTONIETTA S
21 RUTGERS ST
WEST ORANGE NJ 07052

36 LRDPNP1 07052

17P

p.2
+18882731503
18-Mar-2019 19:11

City of Las Vegas
Department of Planning
Development Services Center
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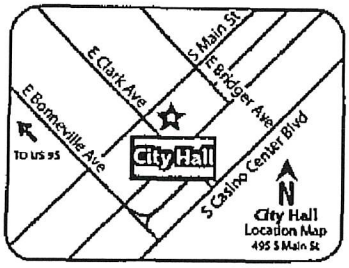

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SUP-75722 [PRJ-75666]
Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16204815133
BAHRAMI SHIVA
10738 BAILE AVE
CHATSWORTH CA 91311

98 LRDFMP1 91311

17P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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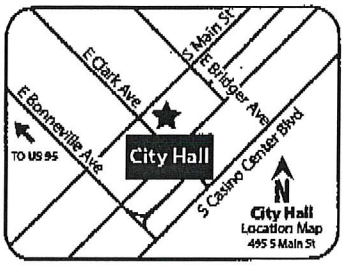

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SUP-75722 [PRJ-75666]
Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16210114092
GOLAND FAMILY TRUST
YAACOV & NILI GOLAND TRS
1726 MICHAEL LN
PACIFIC PALISADES CA 90272-2037

17P

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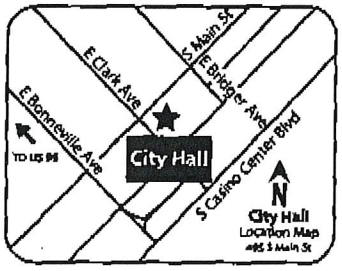

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SUP-75722 [PRJ-75666]
Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16210114285
KING FAMILY IRREVOCABLE TRUST
KING GREGORY TRS
1200 MENLO DR N W
ATLANTA GA 30318-4170

Mar. 20. 2019 2:28PM

17P

City of Las Vegas
Department of Planning
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SUP-75722 [PRJ-75666]
Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16210114115
KIRKMAN ALLAN C & DIANE M
232 MERION DR
PITTSBURGH PA 15228-2349

17P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

LAS VEGAS
NV 890
19 MAR '19
PM 5 L

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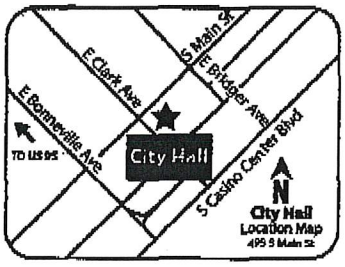

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☒ I OPPOSE this Request

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SUP-75722 [PRJ-75666]

Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16210114364
R A A M C O L V L L C
2747 PARADISE RD #2101
LAS VEGAS NV 89109

101 LRDFNP1 89109

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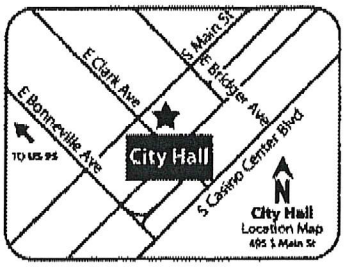

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☒ I OPPOSE this Request

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SUP-75722 [PRJ-75666]

Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16210114149
WEE ROBERT B H & SIA-WEE LORNA Y
WEE ROBERT B H CO-TRS
%L HSIA-WEE CO-TRS
8715 E BANNER RIDGE
ANAHEIM CA 92808

17P

Department of Planning
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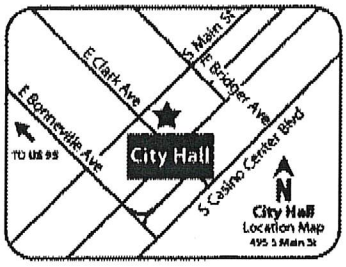

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SUP-75722 [PRJ-75666]

Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16210114149
WEE ROBERT B H & SIA-WEE LORNA Y
WEE ROBERT B H CO-TRS
%L HSIA-WEE CO-TRS
8715 E BANNER RIDGE
ANAHEIM CA 92808

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City of Las Vegas
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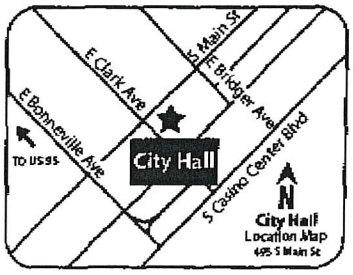

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Planning Commission Meeting of **03/26/2019**

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SUP-75722 (PRJ-75666)
16203413032
LUK KAYE C & DIANA A
10313 POMPEI PL
LAS VEGAS NV 89144

131 LRDFNP1 89144

17P

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SUP-75722 [PRJ-75666]

Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16204815262
MONTAGUE MARILYN R
200 W SAHARA AVE #2604
LAS VEGAS NV 89102-5082

89 LRDPMP1 89102

17P

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Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16204815262
MONTAGUE MARILYN R
200 W SAHARA AVE #2604
LAS VEGAS NV 89102-5082

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Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16203411006
MOFFATT FAMILY TRUST
MOFFATT JOIANNE TRS
3101 PLAZA DE ERNESTO
LAS VEGAS NV 89102-4022

89 LRDFMP1 89102

Application Information

SUP-75722 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CWNEVADA - OWNER: L'CHAIM 24 FREMONT PROPERTIES, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 3,600 SQUARE-FOOT MARIJUANA DISPENSARY USE in a portion of 2424 South Las Vegas Boulevard (APN 162-04-812-002), C-2 (General Commercial) Zone, Ward 3 (Coffin) [PRJ-75666].

I live in Overton dispensaries in the area - that's enough —

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***03/26/2019***
Time:	6:00 PM
Location:	Council Chambers - 495 South Main Street - Phone 229-6011

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City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-75722 [PRJ-75666]

Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16210114277
PARSONS WILLIAM R & MARCY R
322 KAREN AVE #3901
LAS VEGAS NV 89109

101 LRDFNP1 89109

Application Information

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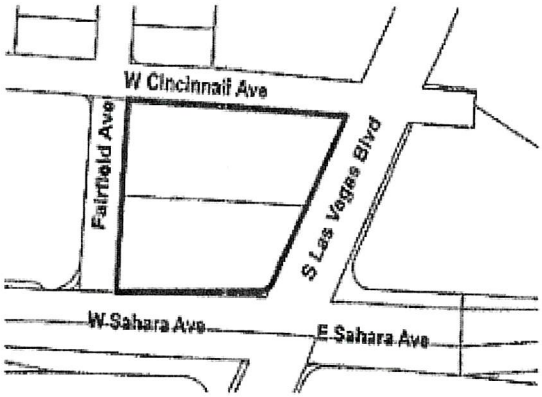
HOW MANY DISPENSARIES DO YOU NEED? THERE IS ONE RIGHT ACROSS THE STREET!

Application Location



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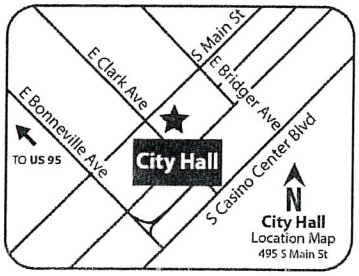

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-75722 [PRJ-75666]

Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16210114324
LUCACCIONI JOHN TRUST
LUCACCIONI JOHN S & JANA GLADSTO
222 KAREN AVE #206
LAS VEGAS NV 89109

101 LRDFNP1 89109

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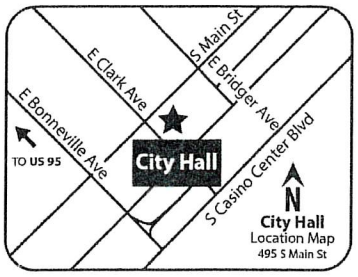

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SUP-75722 [PRJ-75666]

Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16210114324
LUCACCIONI JOHN TRUST
LUCACCIONI JOHN S & JANA GLADSTO
222 KAREN AVE #206
LAS VEGAS NV 89109

101 LADFNP1 89109

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Las Vegas, Nevada 89106

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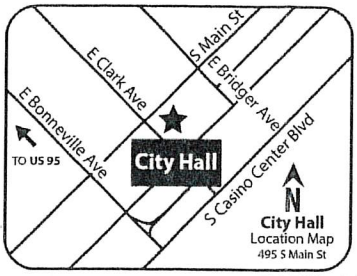

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☒ I OPPOSE this Request

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SUP-75722 [PRJ-75666]

Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16210114264
BERLINER I Y & R P REV LIV TR
BERLINER MYRON & LILI SHI
800 AQUITAINE CT
LAS VEGAS NV 89145

133 LRDFNP1 89145

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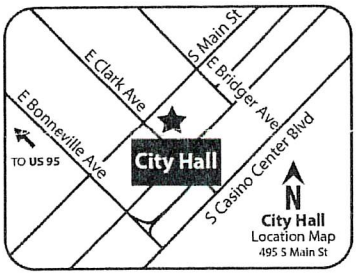

There are drug-selling stores (marijuana) already across the street. We live here! I don't want to see this corner of Las Vegas become "Weed Central."

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SUP-75722 (PRJ-75666)
16204815260
WRAY WILLIAM B & SARAH J
200 W SAHARA AVE #2602
LAS VEGAS NV 89102

☐ I SUPPORT this Request

☒ I OPPOSE this Request

I am against the recreational legal use of marijuana, and it is a real shame that this harmful drug can now be purchased legally

Please use available blank space on card for your comments.

SUP-75722 [PRJ-75666]

Planning Commission Meeting of **03/26/2019**

89 LRDFNP1 89102

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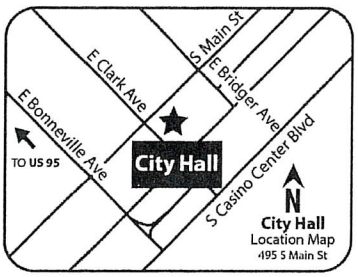

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-75722 [PRJ-75666]

Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16210114509
ROBERTSON GARY L & SHERRILL J
222 KAREN AVE #2607
LAS VEGAS NV 89109

101 LRDFNP1 89109

HR

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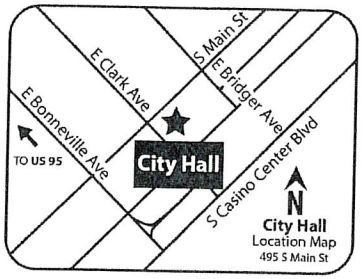

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-75722 [PRJ-75666]

Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16210114509
ROBERTSON GARY L & SHERRILL J
222 KAREN AVE #2607
LAS VEGAS NV 89109

101 LRDFNP1 89109

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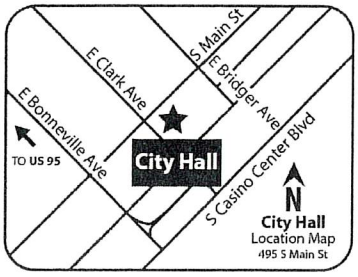

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SUP-75722 [PRJ-75666]

Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16210114451
BERLINER IRVING & R P REV LIV TR
BERLINER IRVING Y & ROBIN P TRS
800 AQUITAINE CT
LAS VEGAS NV 89145

133 LRDFNP1 89145

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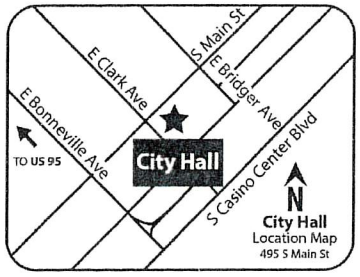

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SUP-75722 [PRJ-75666]

Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16210114451
BERLINER IRVING & R P REV LIV TR
BERLINER IRVING Y & ROBIN P TRS
800 AQUITAINE CT
LAS VEGAS NV 89145

133 LRDFNP1 89145

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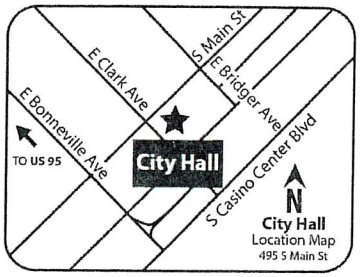

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SUP-75722 (PRJ-75666)
16210114264
BERLINER I Y & R P REV LIV TR
BERLINER MYRON & LILI SHI
800 AQUITAINE CT
LAS VEGAS NV 89145

133 LRDFNP1 89145

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FOR TAX MONEY BUT HAVE SOME DECENCY, YOU HAVE KIDS TOO, GIVE THEM A FAVOR FOR THE NEXT GENERATION.

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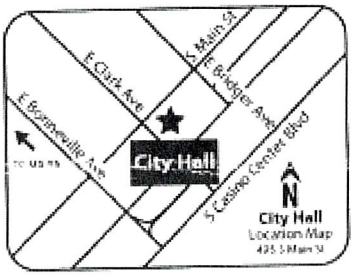

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SUP-75722 [PRJ-75666]
Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16203413027
LIPA AMPARO A
5016 MONTE DEL SOL LN
NORTH LAS VEGAS NV 89031

89 LRDFNP1 89031

Application Information

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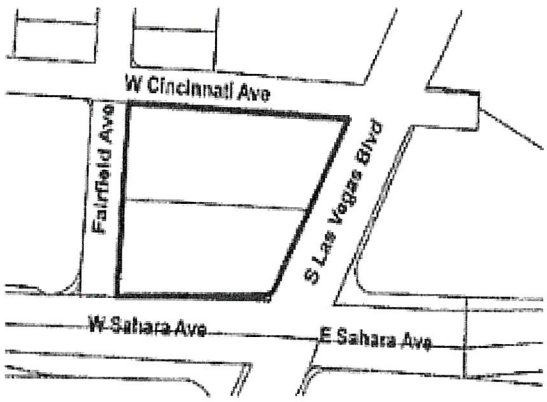
A BIG NO, SOONER OR LATER, LAS VEGAS WILL NEVER BE CALLED ENTERTAINMENT CAPITAL OF THE WORLD BUT RATHER MARIJUANA CAPITAL OF THE WORLD. BRING THEM IN THE DESERT INSTEAD. WAKE-UP!! STATE OFFICIALS, THIS IS NOT ALL

Application Location



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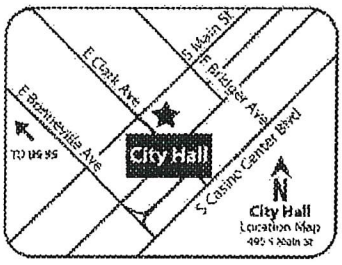

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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SUP-75722 [PRJ-75666]
Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16204813022
JOHNCYN IRR BUSINESS TRUST
BEHRENS LYNN E
6325 S JONES BLVD #500
LAS VEGAS NV 89118

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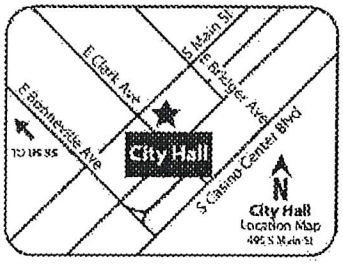

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Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16204813013
JOHNCYN IRR BUSINESS TRUST
BEHRENS LYNN E
6325 S JONES BLVD #500
LAS VEGAS NV 89118

Submitted after final agenda
Date 3/26/19 Item 17A (x2)

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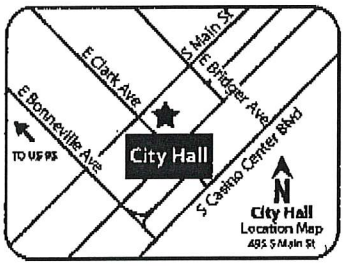

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SUP-75722 [PRJ-75666]
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SUP-75722 (PRJ-75666)
16203411008
JOSEPHS FAMILY LAND L P
5395 S POLARIS AVE
LAS VEGAS NV 89118-2456

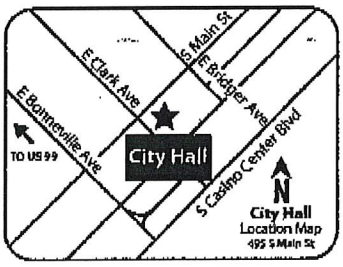
17A

115 LRDFNP1 89118

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

Return Service Requested
Official Notice of Public Hearing



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MAR 2 5 2019
Dept of Planning
City of Las Vegas.

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.
SUP-75722 [PRJ-75666]
Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16203411007
JOSEPHS FAMILY LAND L P
5395 S POLARIS AVE
LAS VEGAS NV 89118-2456

17A
(x2)

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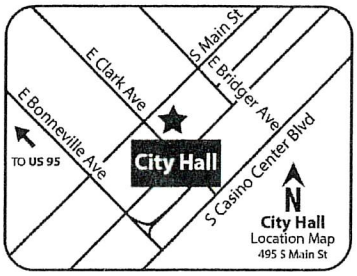

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SUP-75722 [PRJ-75666]

Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16204803009
WESTERN STATES MOBILE LUBE
4000 MOUNTAIN VIEW BLVD
LAS VEGAS NV 89102

89 LADFNP1 89102

17A

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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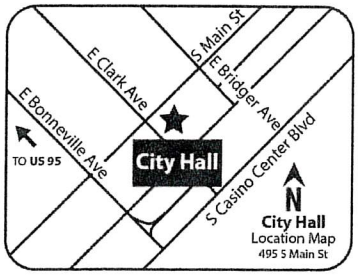

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MAR 20 2019
Dept of Planning
City of Las Vegas

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-75722 [PRJ-75666]

Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16204803008
WESTERN STATES MOBILE LUBE
4000 MOUNTAIN VIEW BLVD
LAS VEGAS NV 89102

89 LRDFNF1 89102

17A

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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PRSRT
FIRST CLASS MAIL
U.S. Postage
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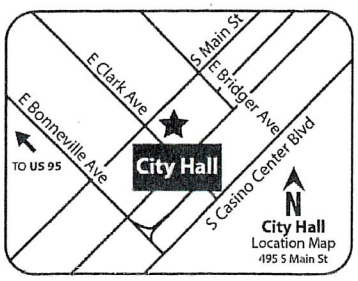
Las Vegas, NV
Permit No. 1630

Return Service Requested
Official Notice of Public Hearing



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MAR 25 2019
Dept of Planning
City of Las Vegas

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SUP-75722 (PRJ-75666)
16204815111
DUNN WALLACE E
561 W DIVERSEY #215
CHICAGO IL 60614-1682

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-75722 [PRJ-75666]

Planning Commission Meeting of **03/26/2019**

28 LRDFNP1 60614

17A

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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FIRST CLASS MAIL
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Las Vegas, NV
Permit No. 1630

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Official Notice of Public Hearing

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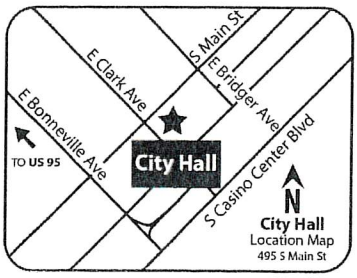
Dept of Planning
City of Las Vegas



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-75722 [PRJ-75666]

Planning Commission Meeting of **03/26/2019**

SUP-75722 (PRJ-75666)
16204815111
DUNN WALLACE E
561 W DIVERSEY #215
CHICAGO IL 60614-1682

28 LRDFNP1 60614

Duplicate- not counted

17A

Nora Lares

From: noreply@formstack.com
Sent: Wednesday, March 20, 2019 10:28 AM
To: Planning Comments
Subject: Planning Application Comments Form

EXTERNAL EMAIL

RECEIVED
MAR 2 5 2019
Dept of Planning
City of Las Vegas

formstack

Formstack Submission For: PlanningApplicationComments2019
Submitted at 03/20/19 10:28 AM

Meeting Date:	Tuesday, March 26, 2019
Project Number:	75666
Position:	I OPPOSE the project and all related applications.
Name:	Roger Palecek
Residential or Business Address:	717 Cresthaven Drive Cottage Grove, WI 53527
Phone:	(608) 209-0787
Email:	rpalecek@amfam.com
Comments:	My concern with this proposal stems from the fact that it is in very close proximity to a luxury high rise condominium association where it could have a significant detrimental affect on the image and ultimately the value of the condos. I think a use of this type would be much better located in a Class B strip mall/retail setting further away from large high-end residential projects.

Submitted after final agenda
Date 3/26/19 Item 17P

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
84

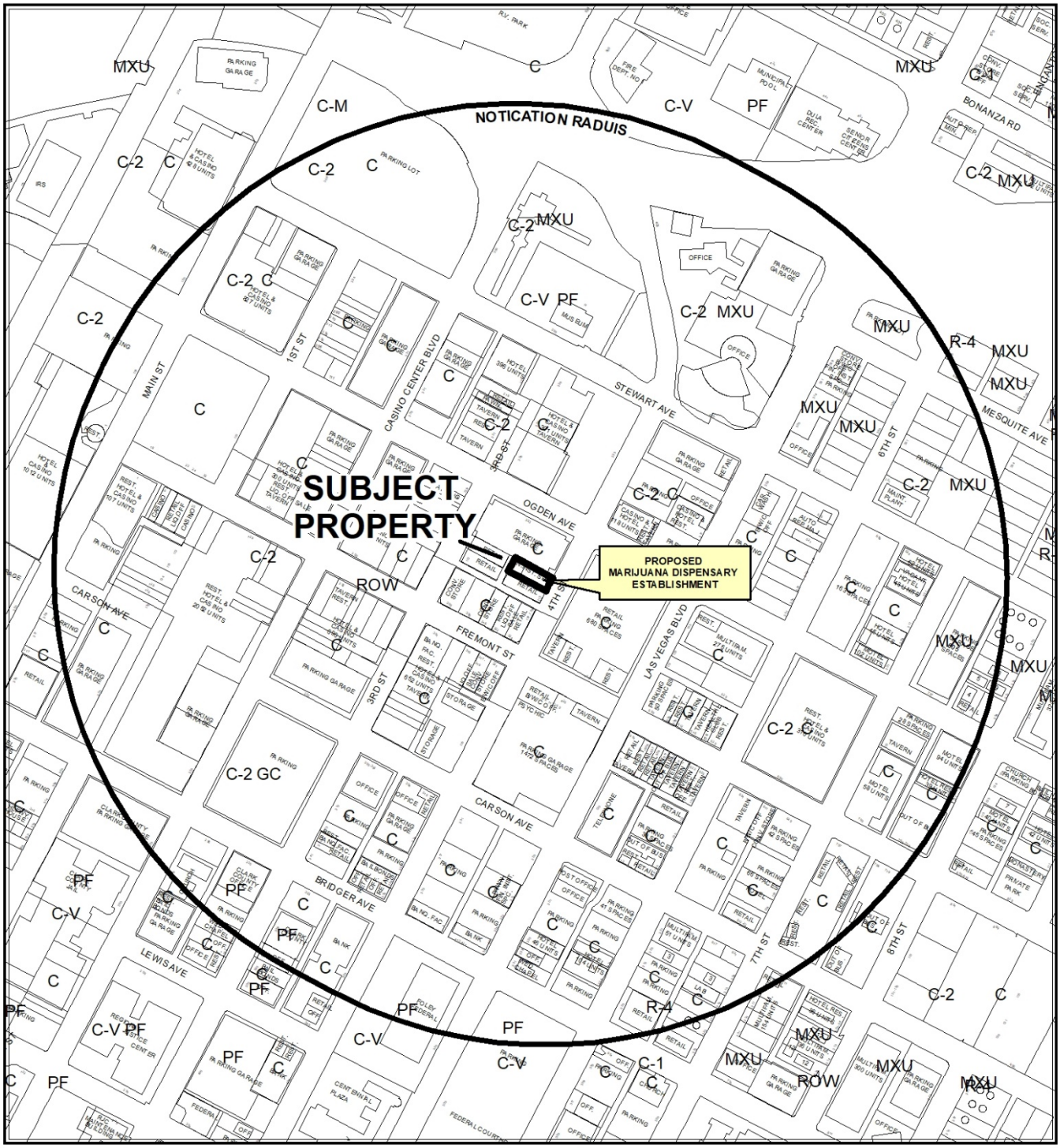
DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
SUP-76080 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: 121 NORTH FOURTH STREET, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 4,433 SQUARE-FOOT MARIJUANA DISPENSARY USE at 121 North 4th Street (APN 139-34-510-029), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-75796]. The Planning Commission (3-1-1 vote) recommends DENIAL. Staff recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	1	Planning Commission Mtg.	0
City Council Meeting	41	City Council Meeting	0

RECOMMENDATION:
The Planning Commission (3-1-1 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo(s)
5. Justification Letter
6. Protest Postcard
7. Backup Submitted at the June 19, 2019 City Council Meeting
8. Submitted after Final Agenda – Request to Withdraw without Prejudice
9. Backup Submitted at the May 14, 2019 Planning Commission Meeting



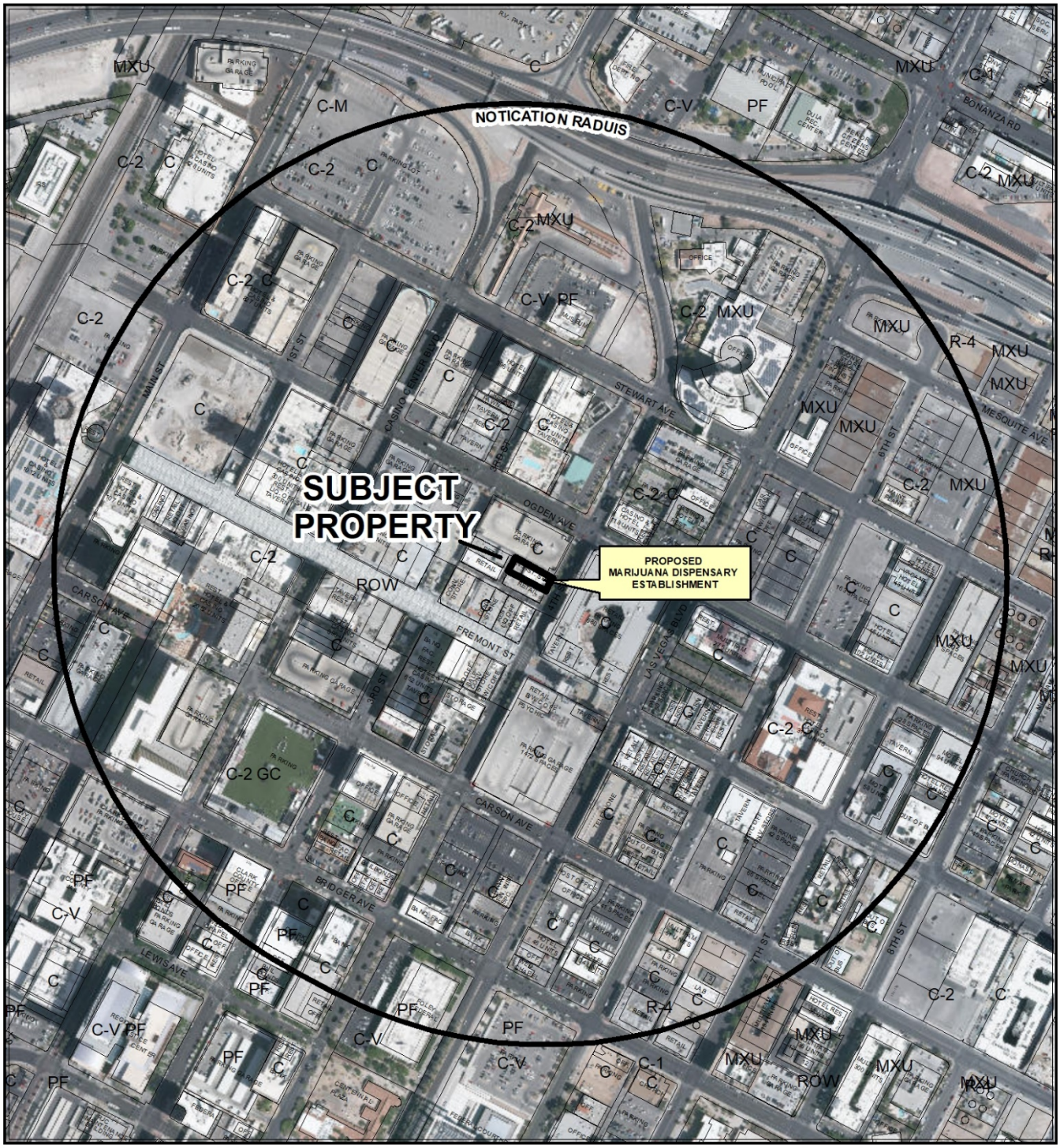
0 375 750 Feet

CASE: **SUP-76080 (PRJ-75796)**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

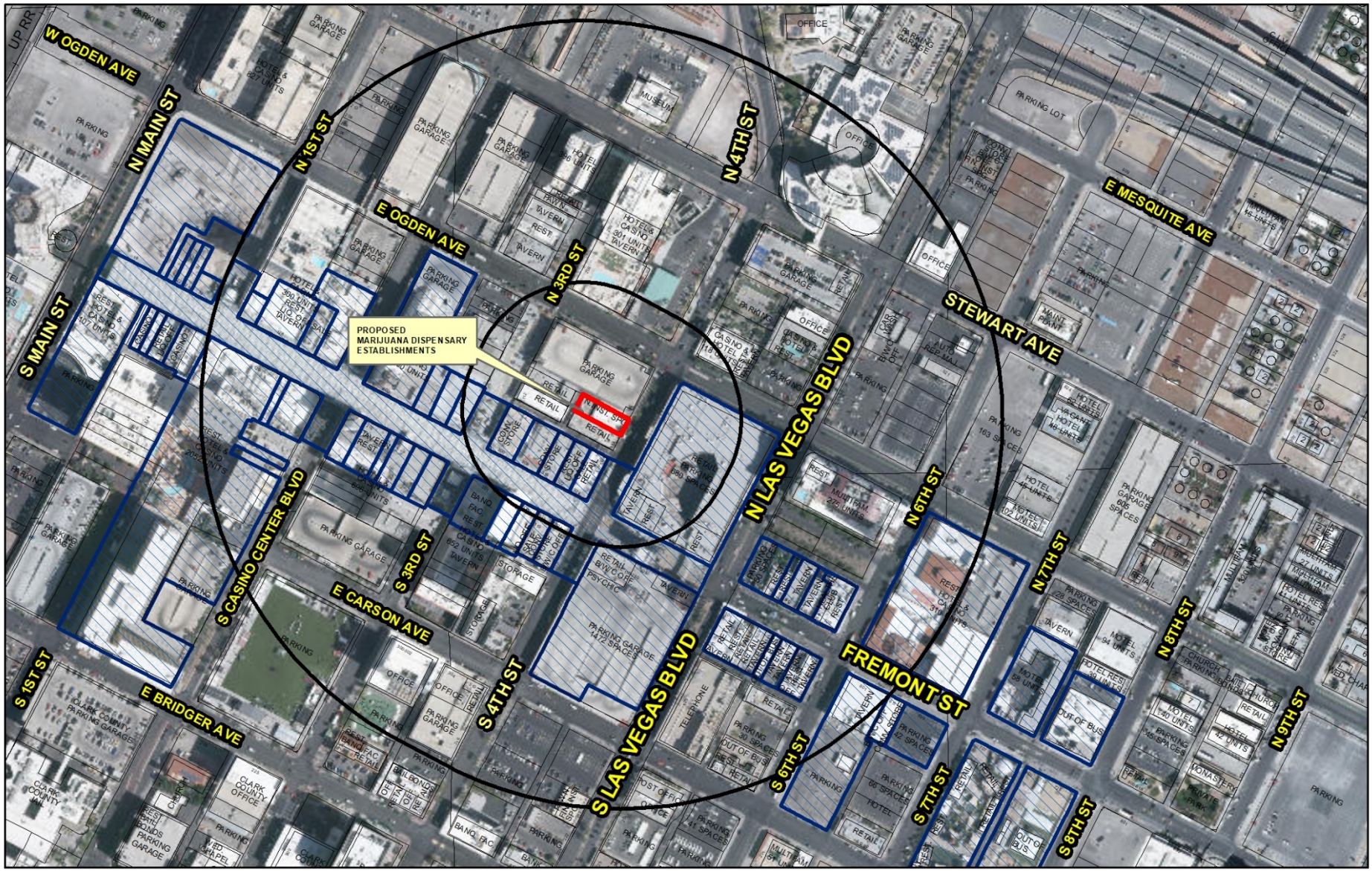
N



CASE: **SUP-76080 (PRJ-75796)**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)



SUP-76080 (PRJ-75796)

Marijuana Establishments

- Dispensaries
- Production Facilities
- Testing Laboratories
- Cultivation
- Retail Marijuana Store (Rec Sales)
- Product Manufacturing Facility (Rec Production)
- Marijuana Cultivation Facility (Rec Cultivation)
- Manufacturing Testing Facility (Rec Lab)

Protected Uses

- RELIGIOUS
- COMMUNITY CENTERS
- Private Schools
- Pools
- SCHOOLS
- Child Care/ Children Facility
- Parks
- Teen Dance Center

Prohibited Areas

- Art District
- Fremont

- Subject Property
- 300 and 1000 foot buffer

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Thursday, April 04, 2019

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: 121 NORTH FOURTH STREET, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
SUP-76080	Staff recommends APPROVAL, subject to conditions:	

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 31

NOTICES MAILED 254 (By City Clerk)

PROTESTS 1

APPROVALS 0

**** CONDITIONS ****

SUP-76080 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Marijuana Dispensary use.

2. If Special Use Permit (SUP-76080) is approved, the property owner shall voluntarily expunge Special Use Permit (SUP-71945).

3. All signage shall conform to the sign standards of Title 19.10.100, and 19.08 where applicable, and any proposed signage shall be approved by the Downtown Design Review Committee prior to issuance of any sign permit.

4. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

5. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.

7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This application is a request for a Special Use Permit for a proposed Marijuana Dispensary to be located at 121 North 4th Street.

ISSUES

- The Marijuana Dispensary use is permitted within the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

ANALYSIS

The Marijuana Dispensary use is defined by Title 19.12 as "an establishment which acquires, possesses, delivers, transfers, transports, supplies, sells or dispenses marijuana or related supplies and educational materials. This use includes a "medical marijuana dispensary," as defined in NRS 453A.115 and a "retail marijuana store" as defined in NRS 453D.030."

The Minimum Special Use Permit Requirements for this use include:

Requirement 1: Pursuant to its general authority to regulate the cultivation, production, dispensing, and sale of marijuana, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by generally requiring a minimum separation between a marijuana dispensary and certain other uses that should be protected from the impacts associated with a marijuana dispensary. Therefore, except as otherwise provided below, no marijuana dispensary may be located within 1000 feet of any school, or within 300 feet of any of the following uses:

a. City park;
b. Church/house of worship;
c. Individual care - family home, individual care - group home, or individual care center (in each case licensed for the care of children);
d. Community recreational facility (public); or
e. Any use whose primary function is to provide recreational opportunities to minors. Such uses include without limitation commercial recreation/amusement (indoor or outdoor); library, art gallery or museum (public); teen dance center; and martial arts studio that provide instruction to minors.

The proposed use meets this requirement, as there are no protected uses located within these minimum separation distances.

Requirement 2: The distance separation referred to in Requirement 1 shall be measured with reference to the shortest distance between two property lines, one being the property line of the proposed marijuana dispensary which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed marijuana dispensary. The distance shall be measured in a straight line without regard to intervening obstacles.

The proposed use meets this requirement, as this is the measurement method utilized in determining compliance with Requirement Number One.

Requirement 3: For the purpose of Requirement 2, and for that purpose only:

a. The "property line" of a protected use refers to the property line of a fee interest parcel that has been created by an approved and recorded parcel map or subdivision map, and does not include the property line of a leasehold parcel; and
b. The "property line" of a marijuana dispensary refers to:
    i. The property line of a parcel that has been created by an approved and recorded parcel map or commercial subdivision map; or
    ii. The property line of a parcel that is located within an approved and recorded commercial subdivision and that has been created by a record of survey or legal description, if:
        A. Using the property line of that parcel for the purpose of measuring the distance separation referred to in Requirement 1 would qualify the parcel under the distance separation requirement;
        B. The proposed marijuana dispensary will have direct access (both ingress and egress) from a street having a minimum right-of-way width of 100 feet. The required access may be shared with a larger development but must be located within the property lines of the parcel on which the proposed marijuana dispensary will be located;
        C. All parking spaces required by this Section 19.12.070 for the marijuana dispensary use will be located on the same parcel as the use; and
        D. The owners of all parcels within the commercial subdivision, including the owner of agreement, satisfactory to the City Attorney, that provides for perpetual, reciprocal cross-access, ingress and egress throughout the commercial subdivision.

The proposed use meets this requirement, as this is the measurement method utilized in determining compliance with Requirement Number One.

Requirement 4: When a retail marijuana store authorized pursuant to NRS Chapter 453D (the "Chapter 453D facility") is proposed to be located within a medical marijuana dispensary that is authorized pursuant to NRS Chapter 453A (the "Chapter 453A facility"), and the Chapter 453A facility has obtained special use permit approval as of July 1, 2017, the applicable distance separation requirements under Requirement 1 for the proposed Chapter 453D facility shall be those that were in effect at the time of special use permit approval for the Chapter 453A facility. A Chapter 453D facility that has received special use permit approval, either pursuant to a new special use permit or by means of a review of conditions under an existing special use permit, shall be deemed a conforming use for purposes of this Title.

The proposed use meets this requirement, as *this requirement will apply if approved.*

Requirement 5: The use shall conform to, and is subject to, the provisions of LVMC Title 6, as they presently exist and may be hereafter amended.

The proposed use meets this requirement as this requirement will apply if approved.

Requirement 6: No outside storage shall be permitted, including the use of shipping containers for on-site storage.

No outside storage is indicated on the submitted site plan. The proposed use meets this requirement as this requirement will apply if approved.

Requirement 7: Subject to the requirements of applicable building and fire codes, public access to the building shall be from one point of entry and exit, with no other access to the interior of the building permitted.

The submitted floor plans show only one point of entry and exit for public access. The proposed use meets this requirement, as this requirement will apply if approved.

Requirement 8: No drive-through facilities shall be permitted in conjunction with a marijuana dispensary.

No drive-through is indicated on the submitted site plan. The proposed use meets this requirement, as this requirement will apply if approved.

Requirement 9: The Special Use Permit shall be void without further action if the uses ceases for a period exceeding 90 days.

The proposed use meets this requirement, as this requirement will apply if approved.

Requirement 10: A marijuana dispensary shall obtain all required approvals from the State of Nevada to operate such a facility prior to the Special Use Permit being exercised pursuant to LVMC 19.16.110.

The proposed use meets this requirement, as *this requirement will apply if approved.*

Requirement 11: No marijuana dispensary shall be located on any property which abuts Fremont Street west of 8th Street.

The proposed use meets this requirement, as the subject site does not abut Fremont Street.

Requirement 12: No accessory uses are permitted in association with a marijuana dispensary unless such a use relates to providing education regarding the use of marijuana.

The applicant proposes no accessory uses at this site. The proposed use meets this requirement, as this requirement will apply if approved.

The proposed use will be conducted in an existing, single-story, 4,433 square-foot building that fronts onto North 4th Street. The subject site is located in Area 1 of the Downtown Las Vegas Overlay (Resort and Casino District). The intent of Area 1 is to achieve a compact, vibrant, urban environment, with a focus on higher density mixed-use development around transit hubs and activity nodes. Consequently, as outlined in Title 19, Appendix F, Table 11, there are no additional parking requirements for a change of land use in Area 1. However, the applicant has made provision for five parking spaces at the rear of the parcel which obtains access off a rear alley.

A 22 square-foot wall sign that features the company logo is proposed on the shopfront facing North 4th Street. The sign does not form part of the Special Use Permit; a condition of approval is imposed requiring approval from the Downtown Design Review Committee prior to issuance of building permits for any new proposed signage.

The Las Vegas Valley Water District (LVVWD) provided the following comments in relation to the proposed development: "This parcel is currently served by LVVWD but the service does not have the backflow prevention required per NAC 445A.67195. Civil and plumbing plans will need to be submitted to LVVWD for domestic meter sizing and backflow retrofit. The service is in the alley behind the building."

There are no protected uses within the required distance separations for the proposed Marijuana Dispensary. The use achieves the vision of the Resort and Casino District that seeks to reinforce the district's identity as the activity and entertainment anchor for Downtown Las Vegas. For these reasons, the proposed use is deemed compatible with the surrounding uses; therefore, staff recommends approval with conditions.

FINDINGS (SUP-76080)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

   The subject site complies with all minimum distance requirements as set forth by Title 19.12 and therefore the use can be conducted in a compatible and harmonious manner with the existing surrounding land uses and future land uses as projected by the General Plan.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The subject site is located in Area 1 of the Downtown Las Vegas Overlay where new land uses are not subject to the automatic application of parking requirements. Nevertheless, five parking spaces are provided on site where 26 spaces are required. The subject site is in close proximity to public parking garages and surrounded by a large number of retail and commercial land uses; as such, the subject site is physically suitable to accommodate the proposed land use.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

   The proposed Marijuana Dispensary fronts North 4th Street, an 80-foot wide Collector, as defined by the Master Plan of Streets and Highways, and is adequate in size to meet the requirements of the proposed use.

4. **Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

The proposed Marijuana Dispensary use will be subject to regular inspections by multiple governmental agencies to ensure compliance and will therefore not compromise the public health, safety, and general welfare or any objective of the General Plan.

5. The use meets all of the applicable conditions per Title 19.12.

The proposed Marijuana Dispensary use meets all distance separation requirements per Title 19.12. Conditions of approval will ensure conformance with all other minimum requirements for this use.

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
12/05/89	The City Council approved a request for a Variance (V-0123-89) to allow a secondhand dealership and pawnshop at 119 North 4th Street. The Board of Zoning Adjustment recommended denial.
01/16/91	The City Council approved a request for a Variance (V-0153-90) to allow the expansion of an existing secondhand dealership and pawnshop at 117 North 4th Street. The Board of Zoning Adjustment recommended approval.
12/12/17	The Planning Commission approved a request for a Special Use Permit (SUP-71945) for a proposed 2,743 square-foot Tavern-Limited use with a 600 square-foot Outdoor Patio Area at 117 and 119 North 4th Street. Staff recommended approval.
05/14/19	The Planning Commission (3-1-1 vote) recommends DENIAL on a request for a Special Use Permit (SUP-76080) FOR A PROPOSED 4,433 SQUARE-FOOT MARIJUANA DISPENSARY USE at 121 North 4th Street (APN 139-34-510-029), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-75796].
06/19/19	The City Council voted to hold in abeyance a request for a Special Use Permit (SUP-76080) FOR A PROPOSED 4,433 SQUARE-FOOT MARIJUANA DISPENSARY USE at 121 North 4th Street (APN 139-34-510-029), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-75796].

Most Recent Change of Ownership	
10/05/18	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
c.1935	First record of construction on the subject parcel.
05/30/12	A building permit (#212255) was issued for a tenant improvement at 117 North 4th Street.
03/28/16	Business licenses (G64-02262 and G64-02265) were issued for a film production business at 117 North 4th Street Suite #1. The licenses were marked inactive on 10/04/17.

Related Building Permits/Business Licenses	
03/07/17	A business license (G65-01705) was issued for tobacco sales at 121 North 4th Street. The license was marked inactive on 05/03/17.
05/11/17	A privilege license (P65-00085) was issued for a Tobacco Sales/ Lounge at 121 North 4th Street. The license was marked inactive on 08/16/18.
05/30/17	A general and privilege license (G65-02548 and P66-00233) were issued for a Tobacco Sales/ Lounge at 121 North 4th Street. Both licenses were marked inactive on 10/09/18.

Pre-Application Meeting	
02/13/19	A Pre-Application meeting was conducted with the applicant to discuss the submittal requirements for a Special Use Permit relating to a proposed Marijuana Dispensary use.

Neighborhood Meeting
A Neighborhood meeting was not required, nor was one held.

Field Check	
03/28/19	Staff observed a vacant building on the subject site during a routine field check. Nothing of concern was noted by staff.

Details of Application Request	
Site Area	
Net Acres	0.16

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Vacant	C (Commercial)	C-2 (General Commercial)
North	Parking Garage	C (Commercial)	C-2 (General Commercial)
South	Restaurant	C (Commercial)	C-2 (General Commercial)
East	Shopping Center	C (Commercial)	C-2 (General Commercial)
West	Retail	C (Commercial)	C-2 (General Commercial)

Master and Neighborhood Plan Areas	***Compliance***
Downtown Master Plan	Y
Special Area and Overlay Districts	***Compliance***
A-O (Airport Overlay) District - 200 Feet	Y
DC-O (Downtown Casino Overlay) District	Y
DTLV-O (Downtown Las Vegas Overlay) District - Area 1 (Resort & Casino District)	Y
LW-O (Live/Work Overlay) District	Y
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area (Area 1)	Y
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
North 4th Street	Collector	Master Plan of Streets & Highways	80	Y

Parking Requirement - Downtown							
Use	***Gross Floor Area or Number of Units***	***Base Parking Requirement***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Marijuana Dispensary	4,421 SF	1:175SF GFA	26				
TOTAL SPACES REQUIRED			26		5		N*
Regular and Handicap Spaces Required			25	1	5	0	N*

* Projects located within the Downtown Las Vegas Overlay - Area 1 are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City.

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) Special Use Permit

Project Address (Location) 117 119 121 North Fourth Street, Las Vegas, Nevada 89

Project Name 121 North Fourth Street LLC, dba Blum **Proposed Use** Marijuana Dispensary

Assessor's Parcel #(s) 139-34-510-029 **Ward #** 5- Crear

General Plan: Existing Commercial Proposed No Change **Zoning:** Existing Retail Proposed Marijuana Disp

Additional Information Project # PRJ-75796

Property Owner 121 North Fourth Street, LLC Contact Michael Nahass

Address 2040 Main Street Suite 225 City Irvine State CA Zip 92614

E-mail mike@terratechcorp.com Phone 949-315-9024

Applicant 121 North Fourth Street, LLC Contact Michael Nahass

Address 2040 Main Street Suite 225 City Irvine State CA Zip 92614

E-mail mike@terratechcorp.com Phone 949-315-9024

Representative The Law Office of Rory Reid Contact Rory Reid

Address 300 South Fourth Street Suite 830 City Las Vegas State NV Zip 89101

E-mail rory@roryreidlaw.com Phone 702-522-2700

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official _____ **Partner(s)** _____

Partner(s) _____

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature _____

An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name MICHAEL NAHASS

Subscribed and sworn before me

This 19th day of February, 20 19

_____

Notary Public in and for said County and State

SEE CALIFORNIA JURAT ATTACHED DATE 02/19/19 INTL

PRJ-75796
03/18/19

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange

Subscribed and sworn to (or affirmed) before me on this 19th day of February, 2019, by Michael Nahass,
proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

TERESA D. LEWIS
COMM.# 2257499
NOTARY PUBLIC - CALIFORNIA
COUNTY OF ORANGE
MY COMM. EXP. OCT. 3, 2022

(Seal)

Signature

PRJ-75796
03/18/19

THOMASON
CONSULTING
ENGINEERS

February 21, 2019

Mallory Pracale
Terra Tech Corp.
3540 West Sahara Avenue
Suite E-6 – Unit 291
Las Vegas, Nevada 89102

Evidence of Separation Certification

I, Jerry A. Cook, Jr., a Professional Land Surveyor, licensed in the State of Nevada, as agent for Thomason Consulting Engineers, do hereby certify that:

1. This Certification represents the result of a survey conducted under my direct supervision for the subject property located at 121 North 4th Street, Las Vegas, Nevada 89101. (APN: 139-34-510-029)

2. There are no schools located within 1000 feet of the subject property.

3. To the best of my knowledge, there are no City Parks, Church/House of Worship, community recreational facilities (public), individual care centers licensed for the care of children, commercial recreation/amusement (indoor & outdoor), library, art gallery or museum (public), teen dance center, martial arts studio that provides instructions to minors, general personal service that provides a significant portion of its services to minors or any other use whose primary function is to provide recreational opportunities to minors located within 300 feet of the subject property.

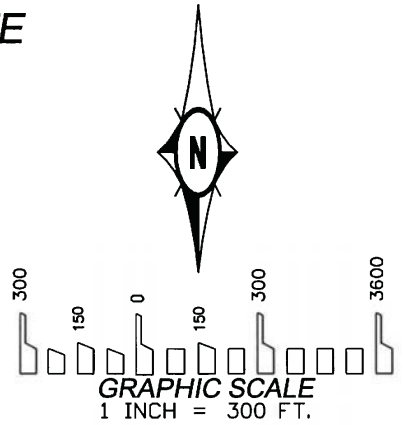
PROFESSIONAL LAND SURVEYOR - STATE OF NEVADA
JERRY A. COOK, JR.
EXPIRES 12-31-20
9388
2/21/19

Jerry A. Cook, Jr., P.L.S.
Professional Land Surveyor
Nevada License No. 9388

PRJ-75796
04/15/19

EVIDENCE OF SEPARATION CERTIFICATE



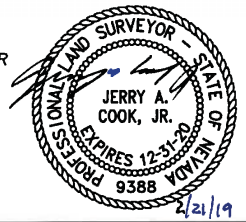


SURVEYOR'S CERTIFICATE

I, JERRY A. COOK, JR., A PROFESSIONAL LAND SURVEYOR, LICENSED IN THE STATE OF NEVADA, AS AGENT FOR THOMASON CONSULTING ENGINEERS, DO HEREBY CERTIFY THAT:

1. THIS EXHIBIT REPRESENTS THE RESULT OF A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION FOR THE PROPERTY LOCATED AT 121 NORTH 4TH STREET, LAS VEGAS, NEVADA 89101 (APN 139-34-510-029)
2. THERE ARE NO SCHOOLS LOCATED WITHIN 1000 FEET OF THE SUBJECT PROPERTY.
3. THERE ARE NO INDIVIDUAL CHILD CARE CENTERS, COMMUNITY RECREATIONAL FACILITIES (PUBLIC), CITY PARKS, CHURCH/HOUSE OF WORSHIP, LIBRARIES, ART GALLERY, MUSEUMS, TEEN DANCE CENTERS, MARTIAL ARTS STUDIOS FOR MINORS, OR GENERAL PERSONAL SERVICES THAT PROVIDES SIGNIFICANT PORTION OF ITS SERVICES TO MINORS LOCATED WITHIN 300 FEET OF THE SUBJECT PROPERTY.
4. THIS SURVEY WAS COMPLETED ON FEBRUARY 21, 2019.

JERRY A. COOK, JR., PLS
PROFESSIONAL LAND SURVEYOR
NEVADA LICENSE NO. 9388



NOTE

RADIUS DISTANCES SHOWN ON EXHIBIT ARE FOR INFORMATIONAL PURPOSES ONLY. CERTIFIED DISTANCES ARE MEASURED FROM THE SHORTEST DISTANCE BETWEEN TWO PROPERTY LINES, ONE BEING THE PROPERTY LINE OF THE PROPOSED MARIJUANA DESPENSARY AND THE OTHER BEING THE PROPERTY LINE OF THAT EXISTING USE.

THOMASON CONSULTING ENGINEERS
7080 LA CIENEGA STREET, SUITE 200
LAS VEGAS, NEVADA 89119
702-932-6125 FAX: 702-932-6129

TERRA TECH CORP.
121 NORTH 4TH STREET

EVIDENCE OF SEPARATION
DISPENSARY FACILITY

1

PRJ-17579 04/15/19

PRELIMINARY CODE ANALYSIS

APN:	139.34.510.029
LOT SIZE:	0.16 ACRES
JURISDICTION:	CITY OF LAS VEGAS
ZONING:	GENERAL COMMERCIAL DISTRICT (C-2)
PROPOSED OCCUPANCY CLASSIFICATION:	DISPENSARY USE - MERCANTILE (M) & BUSINESS (B) OCCUPANCY GROUPS
EXISTING OCCUPANCY GROUP:	BUSINESS GROUP B
TYPE OF CONSTRUCTION:	V-B
FIRE SPRINKLERS:	NO
FIRE ALARM:	NO
HEIGHT ALLOWABLE:	40'
ACTUAL HEIGHT:	15'
STORIES ALLOWABLE:	1
ACTUAL STORIES:	1
AREA ALLOWABLE:	9,000 SF
ACTUAL BUILDING AREA:	4,421 SF

PARKING ANALYSIS

TITLE 19.12.070 PERMISSIBLE USES PROVIDES THE FOLLOWING STANDARDS FOR CAR PARKING RELATING TO A MARIJUANA DISPENSARY:

ALL PARKING SPACES REQUIRED BY THIS SECTION 19.12.070 FOR THE MARIJUANA DISPENSARY USE WILL BE LOCATED ON THE SAME PARCEL AS THE USE.

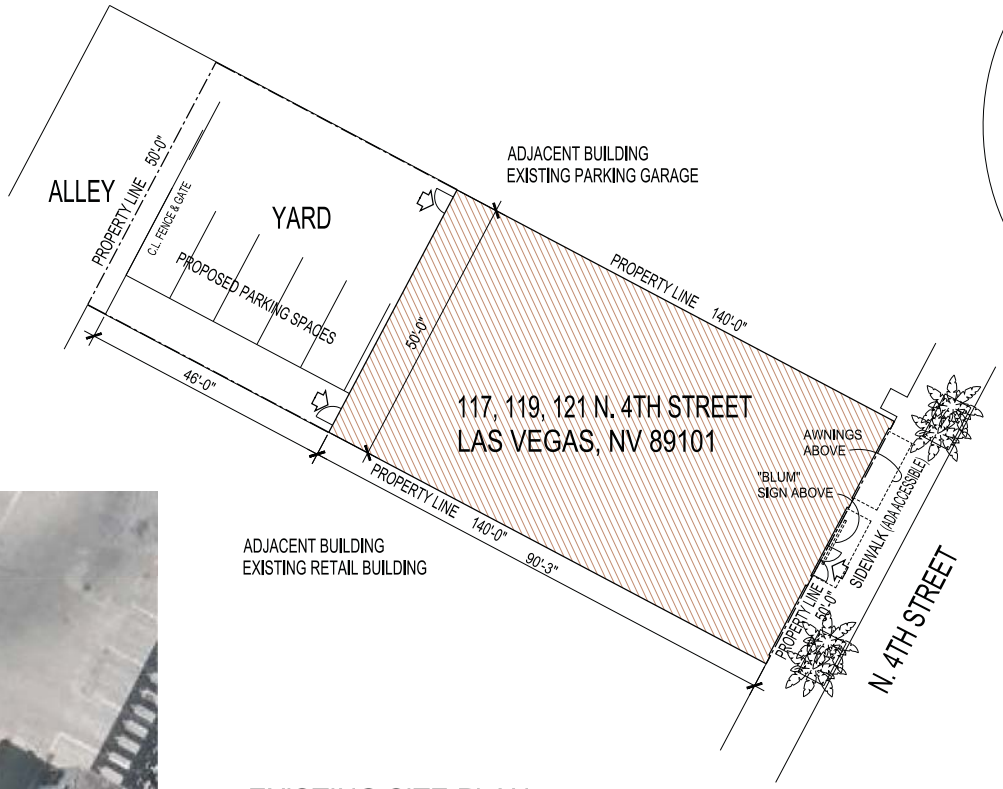
ON-SITE PARKING REQUIREMENT: ONE SPACE FOR EACH 175 SQUARE FEET OF GROSS FLOOR AREA.

26 PARKING SPACES ARE GENERATED BY THE PROPOSED DEVELOPMENT.

AS SHOWN ON THE SITE PLAN, 5 PARKING SPACES WILL BE PROVIDED AT THE REAR OF SITE.

DTLV-O AREA 1 PARKING AND RELATED STANDARDS APPLY TO THE SUBJECT SITE. AS SUCH, CHAPTER 19.08 PARKING STANDARDS ARE NOT AUTOMATICALLY APPLIED.

GIVEN THE ABOVE, A WAIVER IS NOT REQUIRED FOR PARKING.



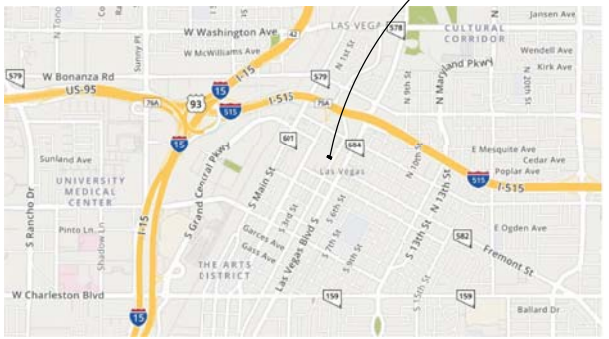


EXISTING SITE PLAN

SCALE: 3/32" = 1'-0"

0 10' 20'

PROJECT LOCATION



Architectural Solution
7009 Alamosa Way
Las Vegas, Nevada 89128
702.339.3019
info@architecturalsolution.com

BLÚM LV DISPENSARY

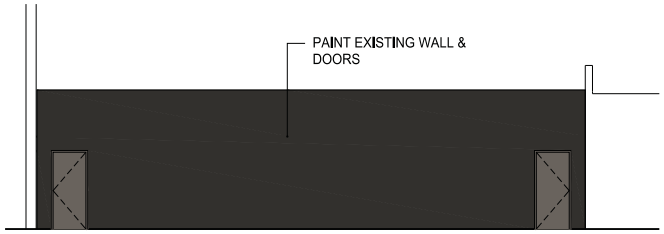
117, 119, 121 N. 4TH STREET
LAS VEGAS, NV 89101

SITE PLAN
VICINITY MAP
PARKING & CODE ANALYSIS

2.28.19

AS1

PRJ-75796
03/18/19

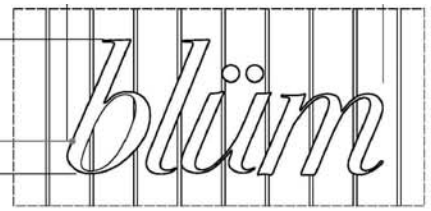


WEST ELEVATION

SCALE: 3/16" = 1'-0"

0 5' 10'

ILLUMINATED BLUM LOGO FACE IS WHITE PLEX W/ INTERNAL ILLUMINATION RETURNS ARE SHEET STEEL W/ BLACK SATIN FINISH LETTERS ARE PIN MOUNTED TO BRICK VENEER

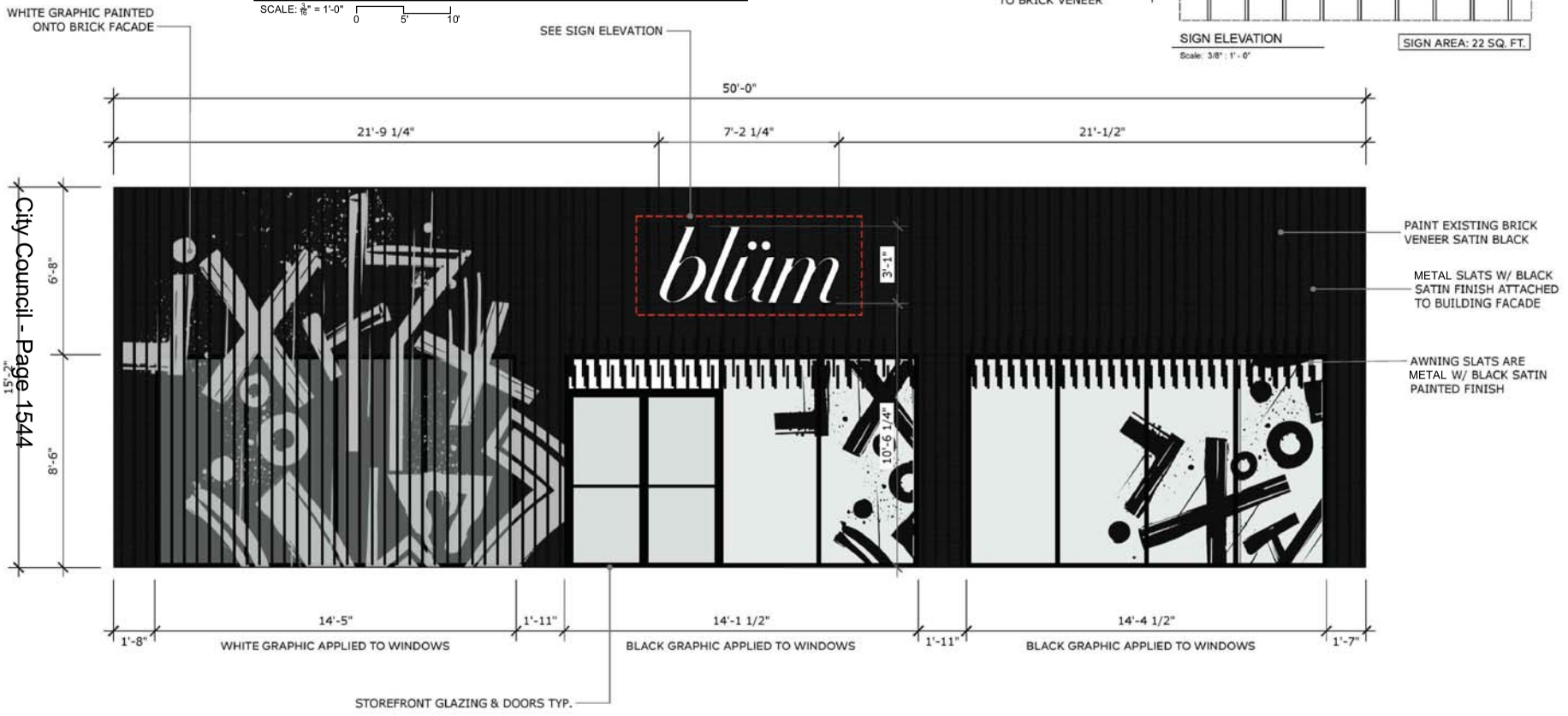


SIGN ELEVATION

Scale: 3/8" : 1' - 0"

SIGN AREA: 22 SQ. FT.

Architectural Solution
7009 Alamosa Way
Las Vegas, Nevada 89128
702.339.3019
info@architecturalsolution.com



PROPOSED EAST / 4TH STREET ELEVATION

SCALE: 1/2" = 1'-0"

0' 5' 10'

BLÜM LV DISPENSARY

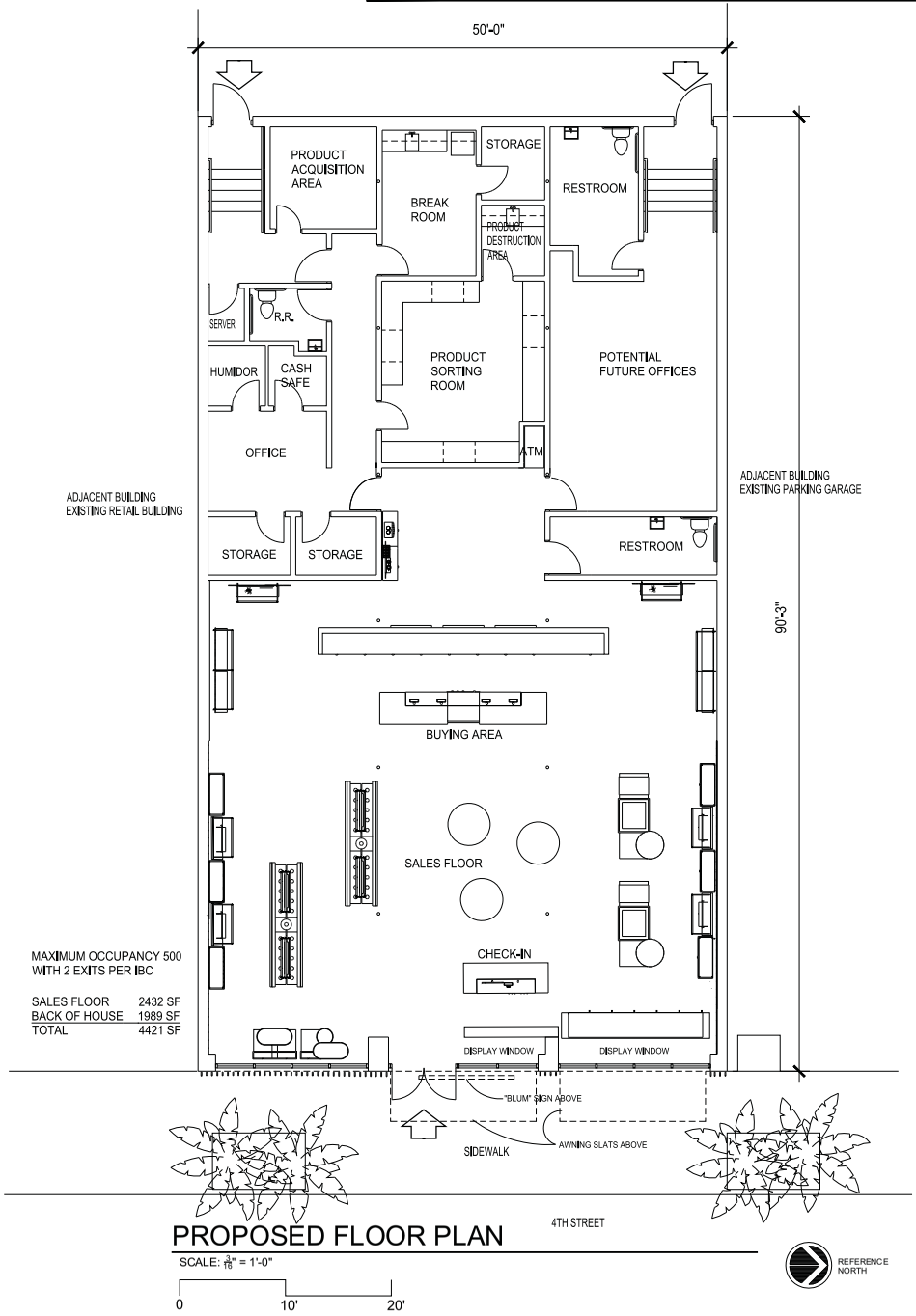
117, 119, 121 N. 4TH STREET
LAS VEGAS, NV 89101

PROPOSED EAST / 4TH ST ELEVATION

2.28.19

PRJ-75796
03/18/19

A2



PROPOSED FLOOR PLAN

SCALE: 3/16" = 1'-0"

Architectural Solution
7009 Alamosa Way
Las Vegas, Nevada 89128
702.339.3019
info@architecturalsolution.com

BLÜM LV DISPENSARY

117, 119, 121 N. 4TH STREET
LAS VEGAS, NV 89101

PROPOSED FLOOR PLAN

2.28.19

PRJ-75796
03/18/19

A1



SUP-76080 [PRJ-75796] - SPECIAL USE PERMIT - APPLICANT/OWNER: 121 NORTH FOURTH STREET, LLC

03/28/19

Cit



SUP-76080 [PRJ-75796] - SPECIAL USE PERMIT - APPLICANT/OWNER: 121 NORTH FOURTH STREET, LLC

03/28/19

City

THE LAW OFFICE OF
RORY REID

February 28, 2019

City of Las Vegas
Department of Planning
333 North Rancho Drive
Las Vegas, Nevada 89106

Re: 121 North Fourth Street, LLC dba Blüm LV
Justification Letter for Special Use Permit for a Marijuana Dispensary at: 121 N. 4th Street, Las Vegas, Nevada, 89101 (APN# 139-34-510-029)

To Whom It May Concern:

This justification letter is submitted on behalf of 121 North Fourth Street LLC, dba Blüm LV, a Nevada limited liability company ("Blüm"), for the purpose of requesting a special use permit for a marijuana dispensary at the premise's location at 121 N. 4th Street, in the City of Las Vegas (the "Location").

This use at the Location will not adversely impact traffic or public safety, and it is compatible with existing uses in the area. The proposed site is optimal for a dispensary. It is in an area already zoned for intense commercial use (C-2). Infrastructure exists to serve the customer that will be brought to the area. The Location also meets or exceeds the separation requirements of the City code with respect to marijuana dispensaries, further contributing to the absence of any adverse impact from this business.

The site is proximate to ample street parking and is across the street from multiple large, public parking facilities. Given the size of the proposed use, parking should not be an issue. Further, at the pre-application meeting staff informed us that DTLV-0 Area 1 Parking and Related Standards apply to the subject site. As such, Chapter 19.08 Parking standards are not automatically applied, and a waiver will not be required for parking.
Blüm is uniquely positioned to operate a safe and successful dispensary within the City of Las Vegas. Blüm's team members have extensive experience in developing successful companies and working within the cannabis industry. They previously operated a dispensary in the City on Western Avenue.

702.522.2700
701 S. 9th Street, Las Vegas, NV 89101
PRJ-75796
03/18/19

Blüm's parent company, Terra Tech Corp. (TRTC), is a publicly traded Nevada corporation that was founded in 2010 by Derek Peterson and Mike Nahass. TRTC is a pioneer in indoor agriculture and operates a five-acre sustainable green house on the East Coast. TRTC has combined various technologies to create sustainable solutions for food production, indoor cultivation, growing rare exotic plants, in addition to undertaking agricultural research and development. Many components of TRTC's core business closely align with the needs of the marijuana industry un terms of cultivation and product safety.

TRTC currently owns and operates a dispensary in the City of Reno and two dispensaries in unincorporated Clark County. The company also operates a number of dispensaries throughout California.

The Blüm team will utilize best practices to ensure this dispensary facility will remain safe, secure and to not attract crime in the area. The security plan curated by the Blüm team incorporates a multifaceted approached that includes the following:

- A comprehensive risk, mitigation and response protocol carefully developed to sure customers and staff thrive in a safe and secure environment. Facility protocols are constantly revaluated and updated as the company deems necessary.

- A state-of-the-art surveillance system electronically monitors and records activity 24/7. Video cameras will be installed to monitor all areas that may contain cannabis, all access and egress points, and will monitor any parking associated with the establishment. The system automatically records all activity to a digital server for future viewing as needed. The recordings are maintained for a minimum of thirty days.

- A state-of-the-art security alarm system, incorporating a comprehensive compilation of door and window sensors, fixed remote panic switches and 24-hour monitoring. This system will be equipped with a failure notification system.

- A state-of-the-art card key system programmed for specific staff access to authorized areas of the facility. The issuance of cards keys to each staff person ensures electronic access only to authorized secure areas, while providing digital evidence of the card usage for future review. Immediate deactivation of the card keys is possible when authorized by facility management.

- Commercial grade exterior lighting to provide adequate light on the exterior of the establishment in order to ensure proper video coverage of all patrons and activities on the property.

- An array of physical deterrents such as access controlled doors and walk-in vaults.

- Hand-held radio system ensures constant communication between management staff and security personnel.

PRJ-75796
03/18/19

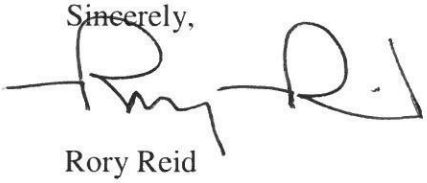
- A designated security manager assigned to oversee a contracted security force of uniformed unarmed guards with training specific to the special needs of customers and staff. The security staff may be equipped with non-lethal implements and incorporate non-confrontational, high profile techniques to deter robbery, theft and disturbances. The security force will be trained in de-escalation techniques and hands-off approach to securing the establishment.

The Company's physical security procedures also include measure to aid the development of strong partnerships with local law enforcement agencies in order to prevent unwanted individuals from remaining on Blüm's premises.

Furthermore, Blüm will implement environmentally sound practices in its dispensary and work towards a zero-waste production and delivery system. Blüm's use of best practice standards underscores its commitment to improve quality of life for its customer, working conditions for all of their team members and the community in which it serves.

Please let me know if I can provide any additional information in this regard.

Sincerely,



Rory Reid

PRJ-75796
03/18/19

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2019 JUN 10 A 7:10

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Las Vegas, NV
Permit No. 1630

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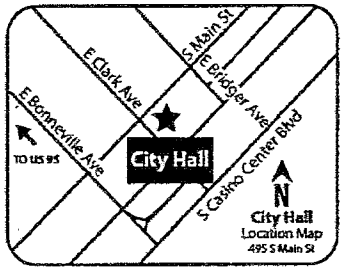

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934510026
THREE TWENTY TWO L L C
5151 PROCYON ST #108
LAS VEGAS NV 89118-1713

11S DRDFNP1 89118

7027369473

City Council - Page 1551

04:52:40 p.m. 06-08-2019

1/1

ity of Las Vegas
)ffice of The City Clerk
95 South Main Street, 2nd Floor
as Vegas, Nevada 89101

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2019 JUN 11 P 4:58

Map on Reverse is not correct
4th street is A thru street.

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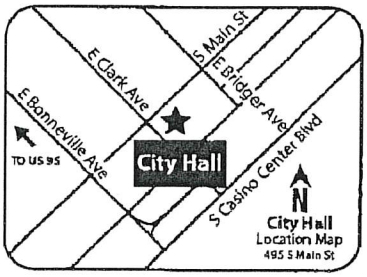

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

lease use available blank space on card for your comments.

UP-76080 [PRJ-75796]
ity Council Meeting of **06/19/2019**

PRJ-75796
13934210060
LAS VEGAS WEDDING BUREAU L L C
555 S 3RD ST
LAS VEGAS NV 89101-6501

Submitted after final agenda
Date 6/19/19 Item 117

City of Las Vegas
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Las Vegas, Nevada 89101

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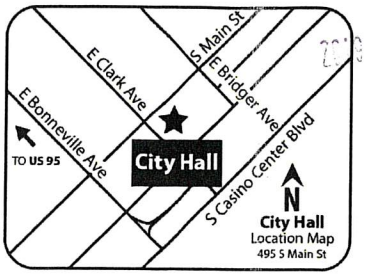

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2019 JUN 17 P 12:05

HELL NO "
NO "POT SHOPS" IN
THIS NEIGHBORHOOD. MORE
GOOD PEOPLE MOVING IN.
THANK YOU

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934613012
DIESING CHARLES FREDERICK
P O BOX 130
ORTING WA 98360

140 DRDFNP1 98360

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Permit No. 1630

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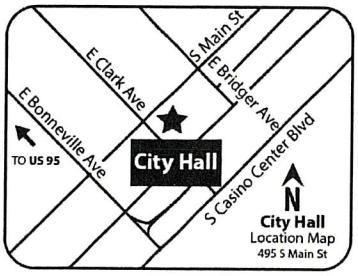
Official Notice of Public Hearing



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2019 JUN 17 P 12:05

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Please use available blank space on card for your comments.

SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934613114
JEALT- OG L L C
%J E ANDREWS
8022 S RAINBOW BLVD #343
LAS VEGAS NV 89139

Submitted after final agenda
Date 6/19/19 Item 117

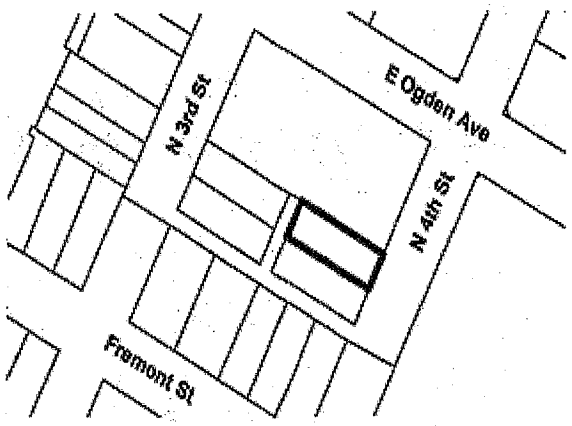
113 DRDFNP1 89139

Application Information

SUP-76080 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: 121 NORTH FOURTH STREET, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 4,433 SQUARE-FOOT MARIJUANA DISPENSARY USE at 121 North 4th Street (APN 139-34-510-029), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-75796]. The Planning Commission (3-1-1 vote) recommends DENIAL. Staff recommends APPROVAL.

Please do not bring a business such as this to our Downtown area. If you researched the potency, health risks, and who's funding marijuana (like the tobacco industry)

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	06/19/2019
Location:	City Council Chambers 495 South Main St, 2nd Fl. Las Vegas, Nevada
Not to be heard before:	11:00AM

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 2nd Floor, City Hall, 495 South Main Street, Las Vegas, Nevada, 89101. For further information, go to www.lasvegasnevada.gov or call (702) 229-6311 (TTY 7-1-1). **Note that postcards and comments received after an agenda posts will not be reflected online until after the meeting; however, the comments are made available to the members of the governing body for their consideration prior to the meeting.**

Perhaps your views may change for the benefit of the people versus big money.

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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2019 JUN 17 P 12:05

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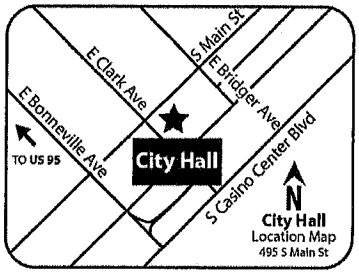
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934613071
STONEHAVEN REVOCABLE TRUST 2005
RAFAEL LINDA K TRS
150 LAS VEGAS BLVD N #1110
LAS VEGAS NV 89101

87 ORDFMP1 89101

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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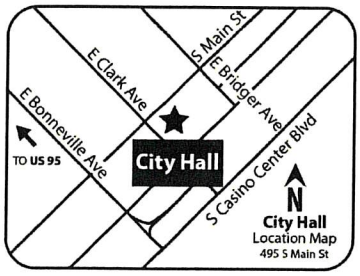

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☐ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.
SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934611016
T-BREO II L L C
1 MAIN ST
LAS VEGAS NV 89101-6370

Not Counted

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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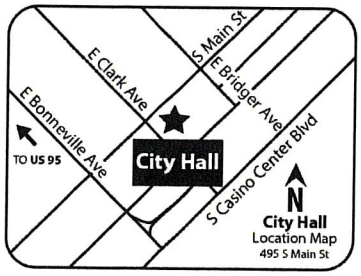

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934613111
JEALT-OG L L C
%J E ANDREWS
8022 S RAINBOW BLVD #343
LAS VEGAS NV 89139

113 DRDFNP1 89139

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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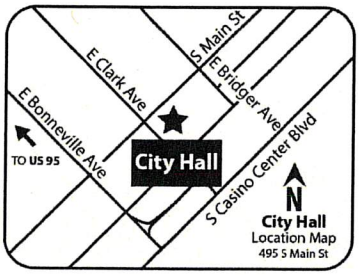

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934611024
612 CARSON L L C
P O BOX 7516
LAS VEGAS NV 89125

33 DRDFNP1 89125

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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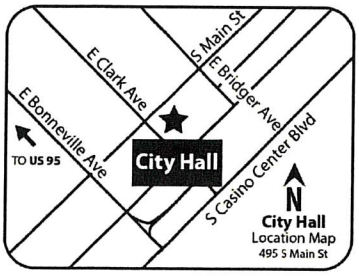

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934612001
209 7TH STREET L L C
P O BOX 7516
LAS VEGAS NV 89125

33 DRDFNP1 89125

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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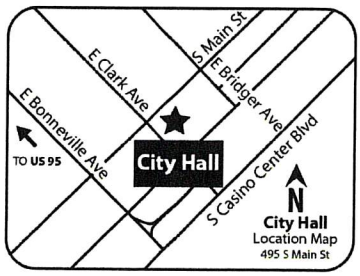

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934612002
209 7TH STREET L L C
P O BOX 7516
LAS VEGAS NV 89125

33 DRDFNP1 89125

City of Las Vegas
Office of The City Clerk
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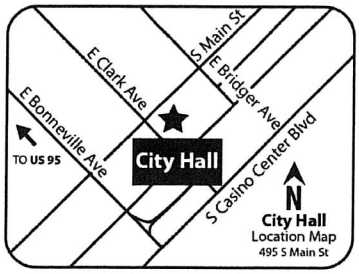

PRJ-75796
13934512029
209 7TH STREET L L C
P O BOX 7516
LAS VEGAS NV 89125

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

33 DRDFNP1 89125

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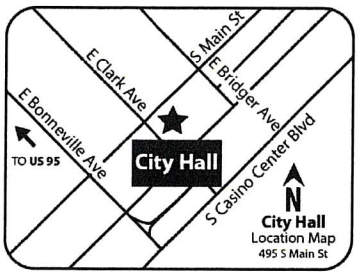

PRJ-75796
13934510028
113 4TH STREET L L C
P O BOX 7516
LAS VEGAS NV 89125

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

33 DRDFNP1 89125

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Las Vegas, Nevada 89101

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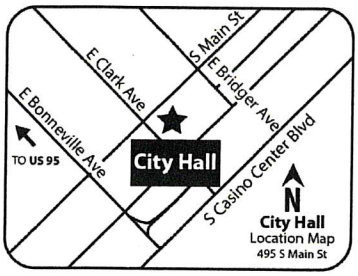

PRJ-75796
13934611021
128 7TH STREET L L C
P O BOX 7516
LAS VEGAS NV 89125

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

33 DRDFNP1 89125

City of Las Vegas
Office of The City Clerk
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Las Vegas, Nevada 89101

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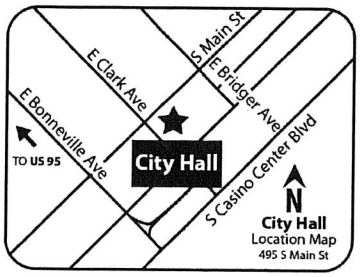

PRJ-75796
13934611022
128 7TH STREET L L C
P O BOX 7516
LAS VEGAS NV 89125

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

33 DRDFNP1 89125

City of Las Vegas
Office of The City Clerk
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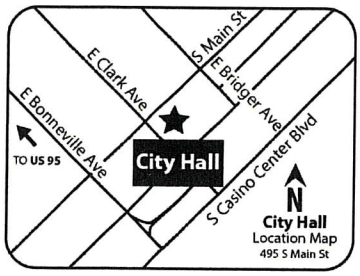

PRJ-75796
13934611023
128 7TH STREET L L C
P O BOX 7516
LAS VEGAS NV 89125

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

33 DRDFNP1 89125

City of Las Vegas
Office of The City Clerk
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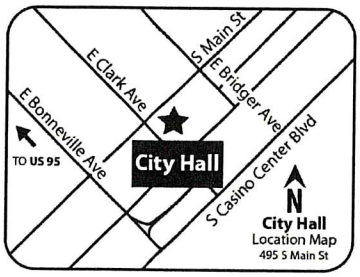

PRJ-75796
13934612015
713 OGDEN L L C
P O BOX 7516
LAS VEGAS NV 89125

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

33 DRDFNP1 89125

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PRJ-75796
13934612016
713 OGDEN L L C
P O BOX 7516
LAS VEGAS NV 89125

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

33 DRDFNP1 89125

City of Las Vegas
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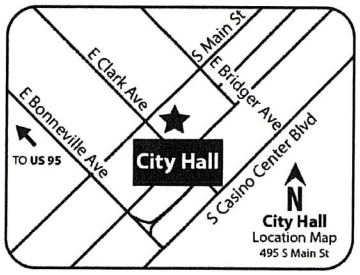

PRJ-75796
13934612012
220 8TH STREET L L C
P O BOX 7516
LAS VEGAS NV 89125

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

33 DRDFNP1 89125

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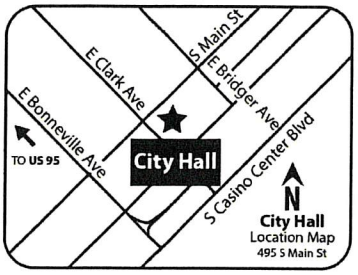

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934612011
230 8TH STREET LLC
P O BOX 7516
LAS VEGAS NV 89125

33 ORDFNP1 89125

City of Las Vegas
Office of The City Clerk
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Las Vegas, Nevada 89101

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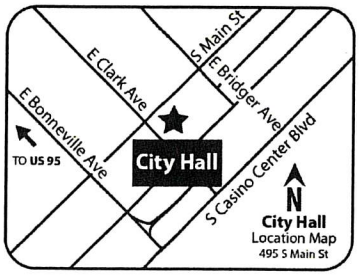

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934515001
217 L V B L L C
P O BOX 7516
LAS VEGAS NV 89125

33 ORDFNP1 89125

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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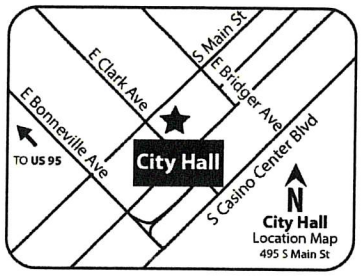

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934515002
217 L V B L L C
P O BOX 7516
LAS VEGAS NV 89125

33 DRDFNP1 89125

City of Las Vegas
Office of The City Clerk
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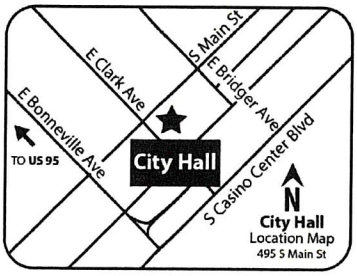

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934515004
217 L V B L L C
P O BOX 7516
LAS VEGAS NV 89125

33 DRDFNP1 89125

City of Las Vegas
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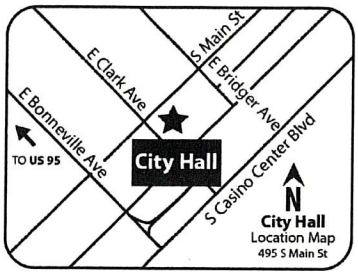

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934515005
217 L V B L L C
P O BOX 7516
LAS VEGAS NV 89125

33 DRDFNP1 89125

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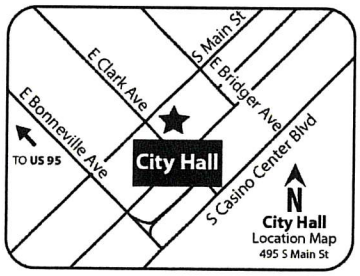

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934611051
DOWNTOWN CARSON L L C
P O BOX 7516
LAS VEGAS NV 89125

33 DRDFNP1 89125

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Las Vegas, NV
Permit No. 1630

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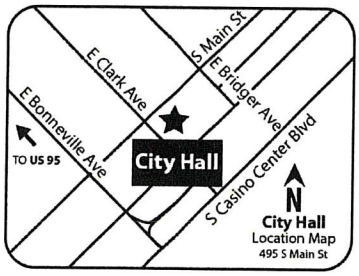
2019 JUN 17 P 1:38



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☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.
SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934601007
707 FREMONT L L C
P O BOX 7516
LAS VEGAS NV 89125

33 DRDFNP1 89125

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Las Vegas, NV
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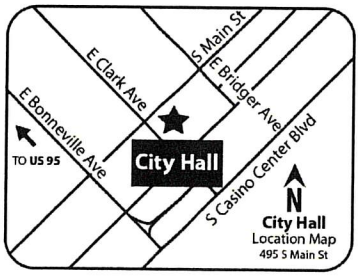
2019 JUN 17 P 1:38



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934601015
FREMONT LV BLVD L L C
P O BOX 7516
LAS VEGAS NV 89125

33 DRDFNP1 89125

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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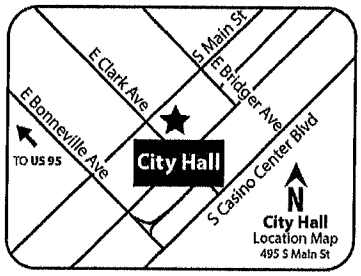

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934612009
110 8TH STREET L L C
P O BOX 7516
LAS VEGAS NV 89125

33 ORDFMP1 89125

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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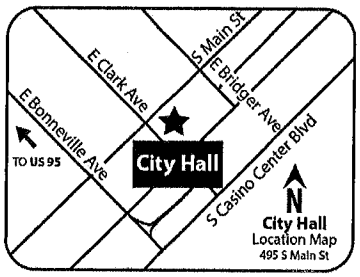

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934612013
110 8TH STREET L L C
P O BOX 7516
LAS VEGAS NV 89125

33 ORDFMP1 89125

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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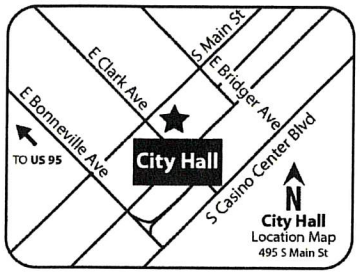

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934612014
110 8TH STREET L L C
P O BOX 7516
LAS VEGAS NV 89125

33 DRDFNP1 89125

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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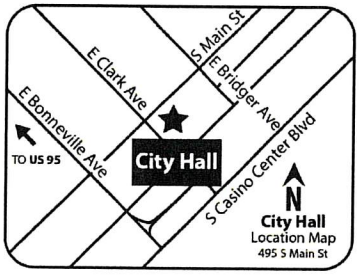

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934612017
110 8TH STREET L L C
P O BOX 7516
LAS VEGAS NV 89125

33 DRDFNP1 89125

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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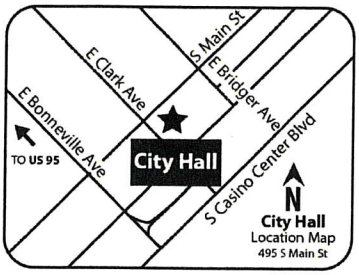

PRJ-75796
13934612018
110 8TH STREET L L C
P O BOX 7516
LAS VEGAS NV 89125

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

33 DRDFNP1 89125

City of Las Vegas
Office of The City Clerk
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Las Vegas, Nevada 89101

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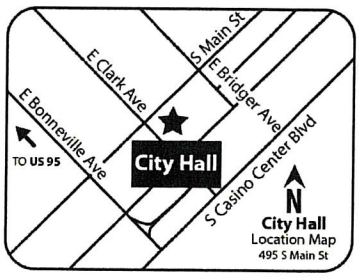

PRJ-75796
13934511004
208 LAS VEGAS BLVD L L C
P O BOX 7516
LAS VEGAS NV 89125

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

33 DRDFNP1 89125

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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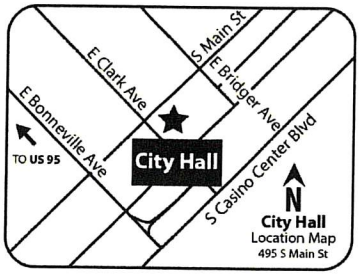

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934512006
208 LAS VEGAS BLVD L L C
P O BOX 7516
LAS VEGAS NV 89125

33 DRDFNP1 89125

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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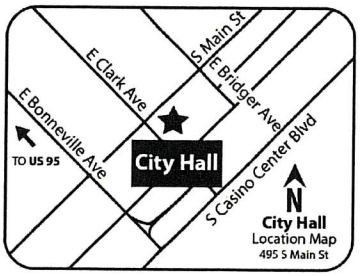

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934512007
208 LAS VEGAS BLVD L L C
P O BOX 7516
LAS VEGAS NV 89125

33 DRDFNP1 89125

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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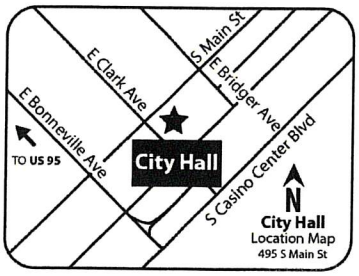

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934511010
208 LAS VEGAS BLVD L L C
P O BOX 7516
LAS VEGAS NV 89125

33 DRDFNP1 89125

City of Las Vegas
Office of The City Clerk
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Las Vegas, Nevada 89101

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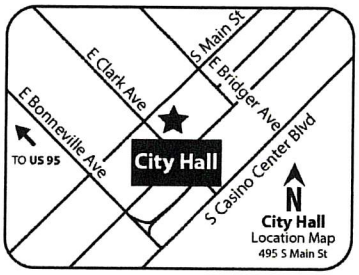

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934501016
208 LAS VEGAS BLVD L L C
P O BOX 7516
LAS VEGAS NV 89125

33 DRDFNP1 89125

City of Las Vegas
Office of The City Clerk
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Las Vegas, Nevada 89101

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2019 JUN 17 P 1:36

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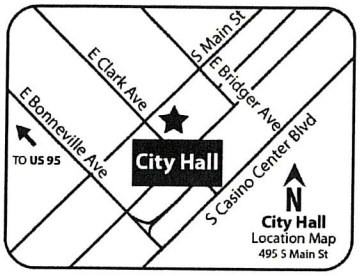

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934611052
120 6TH STREET L L C
P O BOX 7516
LAS VEGAS NV 89125

33 DRDFNP1 89125

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Las Vegas, NV
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2019 JUN 17 P 1:36

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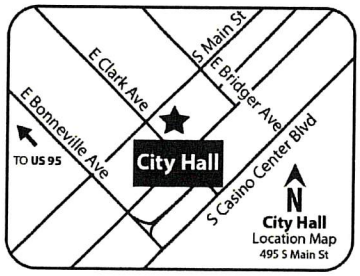
Official Notice of Public Hearing



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Please use available blank space on card for your comments.

SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934611044
218 6TH ST L L C
P O BOX 7516
LAS VEGAS NV 89125

33 DRDFNP1 89125

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Las Vegas, NV
Permit No. 1630

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2019 JUN 17 P 1:37

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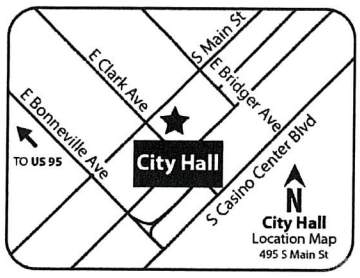

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934611045
218 6TH ST L L C
P O BOX 7516
LAS VEGAS NV 89125

33 DRDFNP1 89125

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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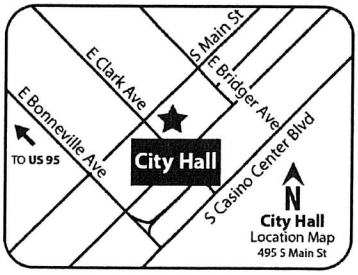

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SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934611038
200 6TH STREET L L C
P O BOX 7516
LAS VEGAS NV 89125

33 DRDFNP1 89125

:ity of Las Vegas
)ffice of The City Clerk
95 South Main Street, 2nd Floor
,as Vegas, Nevada 89101

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PAID
Las Vegas, NV
Permit No. 1630

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CITY CLERK

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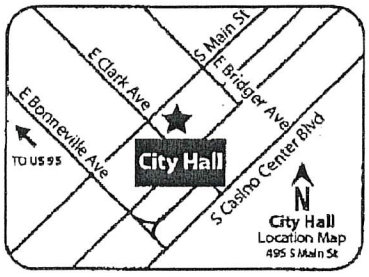
Official Notice of Public Hearing

2019 JUN 18 A 7:34



GAMBLING & MARIJUANA
DON'T MIX! KEEP DRUGS
OUT OF FREMONT TOURIST AREA!

' you wish to file your protest or support on this request, check the ›propriate box below and return this card in an envelope with postage to the ffice Of The City Clerk at the address listed above or fax this side of this ırd to (702) 382-4803. If you would like to contact your Council epresentative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

lease use available blank space on card for your comments.
UP-76080 [PRJ-75796]
ity Council Meeting of **06/19/2019**

PRJ-75796
13934613161
SPAIN DIXON L LIVING TRUST
SPAIN DIXON L TRS
3595 SANTA FE AVE #181
LONG BEACH CA 90810-4359

~~Vacation hold~~ OK.

2 DRDFNP1 90810

Submitted after final agenda

Date 6/18/19 Item 117

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Las Vegas, NV
Permit No. 1630

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2019 JUN 18 P 12:18

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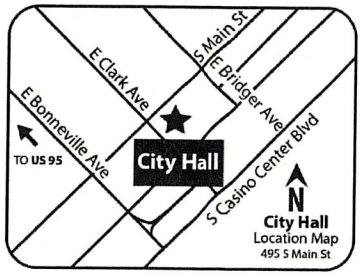

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-76080 [PRJ-75796]
City Council Meeting of **06/19/2019**

PRJ-75796
13934613026
LAIRD PAUL LYNN & BRIDGET BOUCHA
150 S LAS VEGAS BLVD #907
LAS VEGAS NV 89101

87 DRDFNP1 89101

Submitted after final agenda

Date 6/18/19 Item 117

THE LAW OFFICE OF
RORY REID

RECEIVED
JUL 15 2019
Dept of Planning
City of Las Vegas

July 10, 2019

Robert Summerfield, Director
Las Vegas Planning Department
Development Services Center
333 N. Rancho Drive, 3rd Floor
Las Vegas, NV 89106

RE: SUP-76080 – Blum Marijuana Dispensary – 121 N 4th

Dear Mr. Summerfield:

As you know, I represent the applicant on the above referenced application. The application is currently scheduled to be heard by the City Council on its July 17, 2019 agenda.

The purpose of this letter is to request that the item be withdrawn. I would request that this be withdrawn without prejudice.

Please confirm your receipt of this request and let me know if you need anything else.

Sincerely,

Rory Reid

cc: Michael Nahass
Craig Crompton, Department of Planning

702.522.2700
701 S. 9th Street, Las Vegas, NV 89101

Submitted after final agenda
Item 84

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

May 14, 2019

City Planning Commission

Re: SUP-76080 Special Permit, 121 North Fourth Street

Dear Members of the City Planning Commission:

Please allow this correspondence to be considered as our objection to the above captioned Use Permit Application. The undersigned holds a nonrestricted gaming license which property abuts and/or supports the recreation and entertainment facility operated by the Fremont Street Experience, LLC. ("FSE"). The FSE annually attracts over 22,000,000 visitors to the historic downtown gaming district. The presence of a marijuana dispensary in such close proximity would be contrary to the legitimate legal concerns regarding the strict separation between nonrestricted gaming and marijuana sale or use activities. The City Council recently recognized this element when it adopted an ordinance requiring marijuana consumption lounges to be at least 1000' from the property line of the nearest nonrestricted gaming facility. We have previously expressed our opposition to a medical marijuana dispensary in the immediate area in 2015 (see attached) and nothing has changed which would alter our view that recreational marijuana sales immediately adjacent to the FSE and our casino property would be contrary to our marketing efforts for downtown and likely exacerbate the enforcement of existing laws against public marijuana consumption.

Sincerely,

Chris Latil
SVP and General Manager
Golden Nugget Las Vegas

GOLDEN NUGGET
LAS VEGAS

Submitted at Planning Commission
Date 5/14/19 Item 22
by Jeff Silver

702.385.7111 • 129 E. Fremont St. • Las Vegas, NV 89101
goldennugget.com

QUEENS
HOTEL & CASINO

TLC CASINO ENTERPRISES, INC.
202 Fremont Street
Las Vegas, Nevada 89101
• • •
702.385.4011 Fax 702.387.5120
800.634.6045

Binion's
Gambling Hall & Hotel

May 14, 2019

Dear Members of the City Planning Commission,

Please allow this correspondence to be considered as our objection to the above captioned Use Permit Application. The undersigned holds a nonrestricted gaming license which property abuts and/or supports the recreation and entertainment facility operated by the Fremont Street Experience, LLC. ("FSE"). The FSE annually attracts over 22,000,000 visitors to the historic downtown gaming district. The presence of a marijuana dispensary in such close proximity would be contrary to the legitimate legal concerns regarding the strict separation between nonrestricted gaming and marijuana sale or use activities. The City Council recently recognized this element when it adopted an ordinance requiring marijuana consumption lounges to be at least 1000' from the property line of the nearest nonrestricted gaming facility. We have previously expressed our opposition to a medical marijuana dispensary in the immediate area in 2015 (see attached) and nothing has changed which would alter our view that recreational marijuana sales immediately adjacent to the FSE and our casino property would be contrary to our marketing efforts for downtown and likely exacerbate the enforcement of existing laws against public marijuana consumption.

Regards,

Terry Caudill

Terry Caudill
TLC Casino Enterprises, Inc.

BOYD GAMING

May 13, 2019

Dear Members of the City Planning Commission,

Please allow this correspondence to be considered as our objection to the above captioned Use Permit Application. The undersigned holds a nonrestricted gaming license which property abuts and/or supports the recreation and entertainment facility operated by the Fremont Street Experience, LLC. ("FSE"). The FSE annually attracts over 22,000,000 visitors to the historic downtown gaming district. The presence of a marijuana dispensary in such close proximity would be contrary to the legitimate legal concerns regarding the strict separation between nonrestricted gaming and marijuana sale or use activities. The City Council recently recognized this element when it adopted an ordinance requiring marijuana consumption lounges to be at least 1000' from the property line of the nearest nonrestricted gaming facility. We have previously expressed our opposition to a medical marijuana dispensary in the immediate area in 2015 (see attached) and nothing has changed which would alter our view that recreational marijuana sales immediately adjacent to the FSE and our casino property would be contrary to our marketing efforts for downtown and likely exacerbate the enforcement of existing laws against public marijuana consumption.

Sincerely,

Steve Thompson
Executive Vice President, Operations

Cc: Bill Noonan
Andre Filosi
Jim Sullivan

May 13, 2019

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Sincerely,

Steve Thompson
Boyd Gaming Corporation
Executive Vice President, Operations

Cc: Bill Noonan
Andre Filosi
Jim Sullivan

CALIFORNIA
HOTEL CASINO LAS VEGAS

May 13, 2019

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Sincerely,

Steve Thompson
Boyd Gaming Corporation
Executive Vice President, Operations

Cc: Bill Noonan
Andre Filosi
Jim Sullivan

MAIN STREET STATION SM
CASINO BREWERY HOTEL

May 13, 2019

Dear Members of the City Planning Commission,

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Sincerely,

Steve Thompson
Boyd Gaming Corporation
Executive Vice President, Operations

Cc: Bill Noonan
Andre Filosi
Jim Sullivan

May 14, 2019

City of Las Vegas
Planning Commission

Re: SUP-76080 Special Permit - 121 North Fourth Street, LLC

Dear Member of the City Planning Commission,

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Sincerely,

Derek Stevens, CEO

Jeff Victor, VP of Operations

301 Fremont Street | Las Vegas, NV 89101 | 702-388-2400 | theD.com

GOLDEN GATE
HOTEL & CASINO
ONE FREMONT STREET • LAS VEGAS

May 14, 2019

City of Las Vegas
Planning Commission

Re: SUP-76080 Special Permit - 121 North Fourth Street, LLC

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Sincerely,

Derek Stevens, CEO

Jeff Victor, VP of Operations

QUEENS
HOTEL & CASINO

202 Fremont Street
Las Vegas, Nevada 89101
Tel: 702.385.4011 • 800.634.6045
www.fourqueens.com

October 28, 2014

City of Las Vegas City Council
495 S. Main Street
Las Vegas, NV 89101

RE: SUP-55249/DIR-56394 Premium Produce City, LLC 215 North 3rd Street/MME Application

City Council Members:

We are opposed to the above referenced subject to be located at North 3rd Street in downtown Las Vegas.

We feel that this is an entertainment district and therefore an inappropriate location for a Medical Marijuana facility. It has the potential to be a negative factor versus the image we are trying so hard to improve.

Sincerely,

Terry Caudill

Terry Caudill
Owner/President

Binion's
Gambling Hall & Hotel

128 Fremont Street
Las Vegas, Nevada 89101
702.382.1600 800.937.6537

October 28, 2014

City of Las Vegas City Council
495 S. Main Street
Las Vegas, NV 89101

RE: SUP-55249/DIR-56394 Premium Produce City, LLC 215 North 3rd Street/MME Application

City Council Members:

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We feel that this is an entertainment district and therefore an inappropriate location for a Medical Marijuana facility. It has the potential to be a negative factor versus the image we are trying so hard to improve.

Sincerely,

Tim Lager

Tim Lager
General Manager

BOYD GAMING

October 27, 2014

Councilman Ricki Barlow
City Hall, Ward 5
495 S. Main. Street
Las Vegas, NV 89101

Re: Items 49 & 50, Medical Marijuana Establishment
Premium Produce City, LLC
215 N. 3rd Street

Dear Councilman Barlow:

On behalf of Boyd Gaming Corporation and its 2,500 employees at the Fremont, California, and Main Street Station properties, I am writing to express our opposition to the above application for a medical marijuana establishment (MME) in the heart of the gaming, tourist and entertainment corridor in downtown Las Vegas. As you know, Boyd Gaming expresses its opposition to business applications only after careful consideration of an applicant's impact on the downtown community. While we recognize the legality of medicinal marijuana and do not express a position on the use of the product by legal cardholders in Nevada, we do believe that the location of this application threatens the character and long-term viability and development of the downtown tourism and entertainment area that makes up the core of downtown Las Vegas. Under your local zoning authority, we request that you deny this request.

This applications lies in the center of the Central Casino Core District and is less than 250 feet from the Fremont Street Experience and the Fremont Hotel & Casino. This district draws roughly 13 million tourists in addition to countless local visitors each year. While the staff report looks singularly at the site's compliance with minimum distance separations for its conclusion that "the use can be conducted in a compatible and harmonious manner with the existing surrounding land uses and future land use," staff fails to analyze and take into consideration the master plan for this area, the uses it includes and the long-term development and viability of the City's most important economic driver – its tourism and entertainment industry. With respect to the Central Casino Core, the goal of the Downtown Centennial Plan is *"[t]o ensure the City's role in the casino enterprise by preserving the history and culture of, and also* ***to ensure vitality and synergy among existing and future casinos.***"

Boyd Gaming, along with its Fremont Street Experience partners, has work tirelessly over the last several years to engage in City policies and specific land use applications (e.g., building wraps, packaged liquor) in an effort to not only prevent the deterioration of the downtown area, but also to ensure its character and attractiveness as a destination continues to improve. Given the unknown variables and outcomes associated with this new and untested use, introduction of medicinal marijuana sales into the heart of the City's tourism and entertainment districts would be, at a minimum, an extremely risky decision by the City Council that places in a precarious position the well-being of all of the lives who depend on the health and vitality of this critical economic driver. While the applicant compares the use to a pharmacy or drug store, neither of those uses have distance separation requirements that have been attached to MMEs. Clearly, the City's own adoption of such requirements indicates there exists potentially detrimental impacts from such uses and that it does not view MMEs as

equivalent to a pharmacy or drug store. Moreover, the Council should take pause from the concerns voiced by the State Gaming Control Board (Notice #2014-39) indicating that medical marijuana could "reflect discredit upon gaming in the State of Nevada." While the Board was speaking to the involvement of gaming licenses in the MME business, the fact that this application is literally surrounded on all sides by nonrestricted licenses should give this Council serious concern.

Also unknown is whether this establishment would participate in the sale of marijuana for recreational use should Nevada legalize such use, as has been a trend in neighboring states. Furthermore, it is unclear whether the City would have any legal ability to prevent recreational sales at this location in the future if it approves the medicinal use now, short of placing such a condition on the application prohibiting any recreational sales.

For the above reasons, Boyd Gaming and its FSE partners stand in opposition to the approval of SUP-55249 and urge the Council to deny this application on the basis that it is inappropriate for the City's critical tourism and entertainment districts.

Sincerely,

Steve Thompson
Senior Vice President, Operations
Nevada Region

cc: Mayor and City Council
Betsy Fretwell, City Manager
Tom Perrigo, Planning Director
Karen Duddlesten, Business Licensing Manager

October 27, 2014

Dear Mayor Pro Tem and Council Members,

We are adamantly opposed to the application for a medical marijuana dispensary at 215 South 3rd St. We have been consistent in our opposition to new package liquor stores and as a land use matter in the entertainment district, we see this is no different.

While the state has approved marijuana for medicinal use, a dispensary at this location is clearly a precursor to the ultimate approval of marijuana as a recreational use.

I and my colleagues have been working tirelessly to improve the environment on Fremont Street. I view this as another blow to our efforts.

It is my strong belief that approving a dispensary in this location will lead to the same kinds of issues we've seen with the proliferation of packaged liquor on Fremont Street. Nowhere else in this community will medical marijuana be available at a tourist location, and I believe that is with good reason.

If the purpose of the law was to provide for medicinal value for Nevada residents, then it makes even less sense to put a dispensary where there is virtually no parking, and it is by all accounts, difficult to access by locals.

I truly believe that this is setting a precedent and is the beginning of a similar pattern that was introduced when the ABC stores were first approved for a package liquor license. The next one came along and said, "why are they allowed to do it and I am not?"

If the inevitable happens and Nevada has marijuana available for recreational use, there is nothing to stop a proliferation of these uses in the tourist corridor which would prove severely detrimental to my business.

I want to go on record today stating my strong opposition to this use in and around the Fremont Street Experience.

I appreciate all that each of you do for our community and I sincerely hope that you will vote to deny this use.

Sincerely,

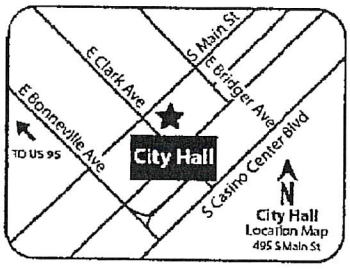
Derek J. Stevens

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

RECEIVED
MAY 14 2019
Dept of Planning
City of Las Vegas

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

Return Service Requested
Official Notice of Public Hearing



Please see Reverse

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-76080 [PRJ-75796]

Planning Commission Meeting of **05/14/2019**

PRJ-75796
13934210060
LAS VEGAS WEDDING BUREAU L L C
555 S 3RD ST
LAS VEGAS NV 89101-6501

89101 BRDFNP1

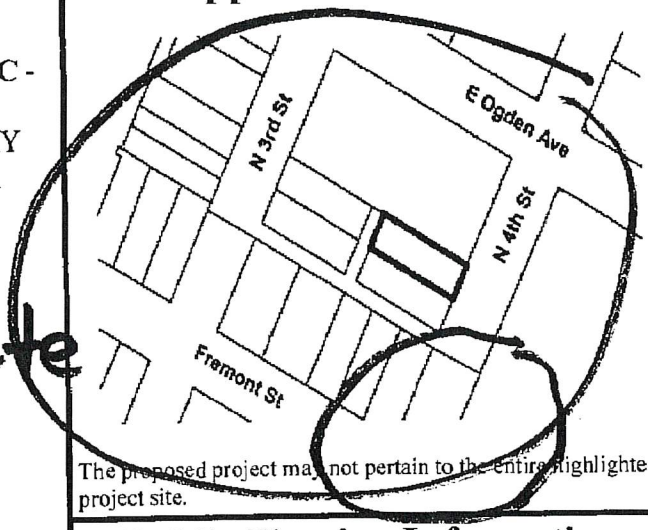
Application Information

SUP-76080 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: 121 NORTH FOURTH STREET, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 4,433 SQUARE-FOOT MARIJUANA DISPENSARY USE at 121 North 4th Street (APN 139-34-510-029), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-75796].

This map is INACCURATE

4th street is a thru street

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***05/14/2019***
Time:	6:00 PM
Location:	Council Chambers - 495 South Main Street - Phone 229-6011

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file a written objection thereto or approval thereof with the Department of Planning, Development Services Center, 333 North Rancho Drive, 3rd Floor, Las Vegas, Nevada 89106. Final Action on General Plan Amendments and Rezonings will be determined by the City Council. Other public hearing items may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. For further information, including the full staff report, please call (702) 229-6301 (TDD 386-9108) or go to http://www.lasvegasnevada.gov.

Date 5/14/19 Item 22P

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
85

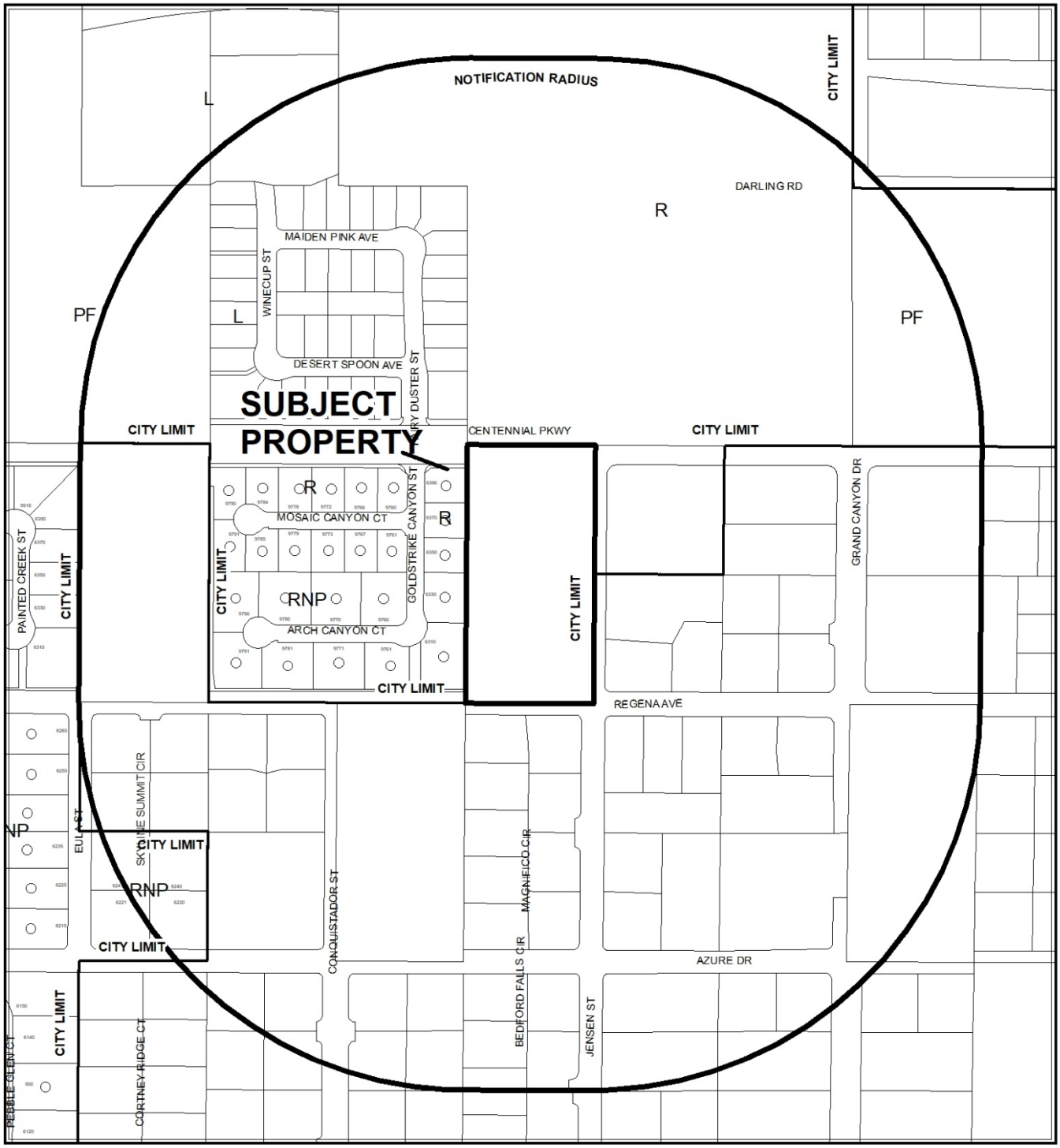
DEPARTMENT: Planning
DIRECTOR: Robert Summerfield

SUBJECT:
GPA-75219 - ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST - For possible action on a request for a General Plan Amendment FROM: RNP (RURAL NEIGHBORHOOD PRESERVATION) TO: L (LOW DENSITY RESIDENTIAL) on 5.00 acres at the southwest corner of Centennial Parkway and Jensen Street (APN 125-30-101-006), Ward 6 (Fiore) [PRJ-75024]. The Planning Commission (6-0 vote) and Staff recommend APPROVAL. NOTE: THE REQUEST WAS AMENDED AT PLANNING COMMISSION FROM: RNP (RURAL NEIGHBORHOOD PRESERVATION) TO: R (RURAL)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	8	Planning Commission Mtg.	0
City Council Meeting	1	City Council Meeting	0

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report - GPA-75219, ZON-75220, VAR-75221, VAC-75222 and TMP-75223 [PRJ-75024]
3. Supporting Documentation - GPA-75219, ZON-75220, VAR-75221, VAC-75222 and TMP-75223 [PRJ-75024]
4. Photo(s) - GPA-75219, ZON-75220, VAR-75221, VAC-75222 and TMP-75223 [PRJ-75024]
5. Justification Letter - GPA-75219, ZON-75220, VAR-75221, VAC-75222 and TMP-75223 [PRJ-75024]
6. Protest Postcard
7. Backup Submitted from the June 19, 2019 City Council Meeting
8. Backup Submitted from the June 5, 2019 City Council Meeting
9. Backup Submitted from the May 1, 2019 City Council Meeting
10. Backup Submitted at the March 26, 2019 Planning Commission Meeting



0 295 590 Feet

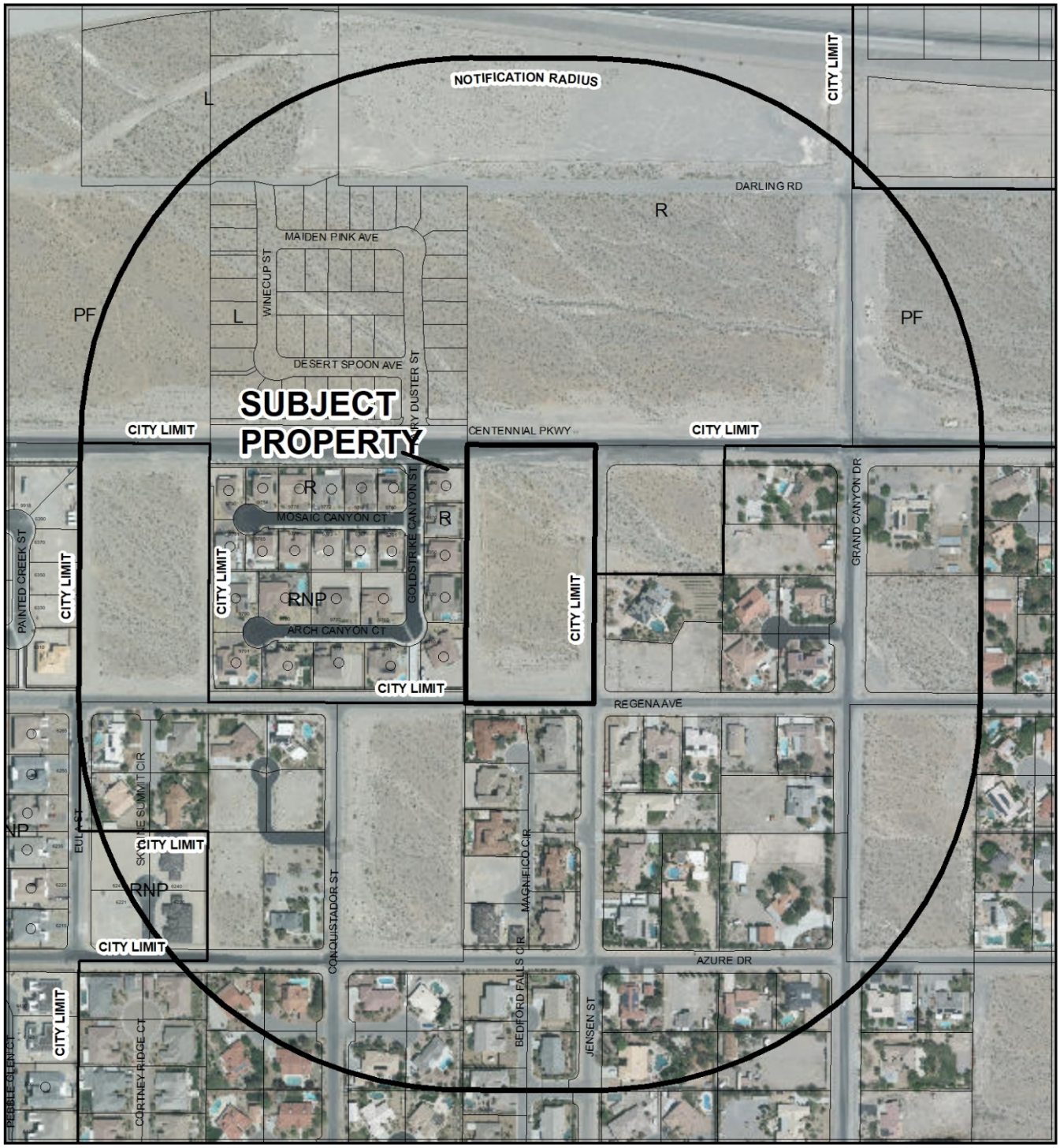
CASE: **GPA-75219 (PRJ-75024)**

RADIUS: 1000 FEET

GENERAL PLAN OF SUBJECT PROPERTY: L (LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN OF SUBJECT PROPERTY: R (RURAL)

N



0 295 590 Feet

CASE: **GPA-75219 (PRJ-75024)**

RADIUS: 1000 FEET

GENERAL PLAN OF SUBJECT PROPERTY: L (LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN OF SUBJECT PROPERTY: R (RURAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 3, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
GPA-75219	Staff recommends APPROVAL.	
ZON-75220	Staff recommends DENIAL.	GPA-75219
VAR-75221	Staff recommends DENIAL, if approved subject to conditions:	GPA-75219 ZON-75220
VAC-75222	Staff recommends APPROVAL, subject to conditions:	GPA-75219 ZON-75220 VAR-75221
TMP-75223	Staff recommends DENIAL, if approved subject to conditions:	GPA-75219 ZON-75220 VAR-75221 VAC-75222

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

NOTICES MAILED
156 - GPA-75219 and ZON-75220
156 - VAR-75221
12 - VAC-75222
156 - TMP-75223

PROTESTS
8- GPA-75219 and ZON-75220
9 - VAR-75221
1 - VAC-75222
10 - TMP-75223

NE

APPROVALS

0 - GPA-75219 and ZON-75220
0 - VAR-75221
0 - VAC-75222
0 - TMP-75223

**** CONDITIONS ****

VAR-75221 CONDITIONS

Planning

1. Approval of General Plan Amendment (GPA-75219) and Rezoning (ZON-75220); and approval and conformance to the Conditions of Approval for Petition to Vacate (VAC-75222), and Tentative Map (TMP-75223) shall be required, if approved.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

VAC-75222 CONDITIONS

1. The limits of this Petition of Vacation shall be the U.S. Government Patent Easement located on Assessor Parcel Number 125-30-101-006, generally located at the southwest corner of Centennial Parkway and Jensen Street.

2. The Order of Relinquishment shall record immediately prior to and concurrent with the Centennial Jensen 5 Final Map.

3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by TMP-75223 may be used to satisfy this requirement provided that it addresses the area to be vacated.

4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

5. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, the conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained

6. All development shall be in conformance with code requirements and design standards of all City Departments.

7. If the Order of Vacation (or Order of Relinquishment of Interest if a Patent Reservation) is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

TMP-75223 CONDITIONS

Planning

1. Approval of the Tentative Map shall be for no more than four (4) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within four (4) years of the approval of the Tentative Map, this action is void.

2. Approval of General Plan Amendment (GPA-75219) and Rezoning (ZON-75220); and approval and conformance to the Conditions of Approval for Variance (VAR-75221), and Petition to Vacate (VAC-75222) shall be required, if approved.

3. Street names must be provided in accordance with the City's Street Naming Regulations.

4. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.

6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. A Petition of Vacation, such as VAC-75222, shall record immediately prior to (concurrent with) the recordation of a Final Map for this site to eliminate the U.S. Government Patents Easements adjacent to this site.

8. Dedicate 50 feet of right-of-way adjacent to this site for Centennial Parkway, 30 feet for Regena Avenue, and 30 feet for Jensen Street. Additionally, dedicate a 25-foot radius at the southwest corner of Centennial Parkway and Regena Avenue, a 15-foot radius the on the northwest corner of Regena Avenue and Jensen Street. Additionally, grant Public Pedestrian Access Easements for all public sidewalks located outside of the public right-of-way on Centennial Parkway, on the Final Map for this site.

9. Grant a Public Utility Easements (P.U.E.), Public Sewer Easements, and Public Drainage Easements to be privately maintained by the Homeowner's Association across the Common Element C and Street A. No trees or vegetation taller than three feet shall be allowed within any Public Sewer Easements.

10. Construct complete half street improvements on Centennial Parkway meeting current City Standards adjacent to this site including appropriate transition paving on Centennial Parkway concurrent with the development of this site. Construct pavement on Jensen Street and Regena Avenue meeting Standard Drawing number 209 as modified by the required Drainage Study. All other off-site improvements are hereby deferred. In accordance with Title 19.02.025.F, the applicant shall make an improvement contribution equal to 50 percent of the City's bond estimate costs for all deferred improvements. The street light contribution for Jensen Street and Regena Avenue may be reduced to 25 percent if a service is provided.

11. Sign and record a Covenant Running with Land agreement for the possible future installation of half-street improvements in accordance with City Standards for all improvements not required to be constructed at this time. Such Covenant Running with Land agreement shall record prior to the issuance of any permits.

12. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

13. Submit a License Agreement for landscaping and private improvements in the Centennial Parkway public rights of way prior to the issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the License Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's License Agreement. The installation and maintenance of all private improvements in the public right of way shall be the responsibility of the applicant and any successors in interest to the property and assigns pursuant to the terms of the License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Department of Building and Safety (229-4836).

NE

14. A working sanitary sewer connection shall be in place prior to final inspection of any units within this development. Full permanent improvements on all major access streets, including all required landscaped areas between the perimeter wall and adjacent public street, shall be constructed and accepted by the City prior to issuance of any building permits beyond 50 percent of all units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required Improvements shall be constructed in accordance with Title19.02.130.D.

15. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant has proposed to develop a 16-lot single-family residential subdivision on a five-acre parcel located at the southwest corner of Centennial Parkway and Jensen Street.

ISSUES

- The applicant is requesting to amend the General Plan Designation of the subject site from RNP (Rural Neighborhood Preservation) to L (Low Density Residential). Staff does not support this request.
- THIS REQUEST HAS BEEN AMENDED FROM RNP (RURAL NEIGHBORHOOD PRESERVATION) TO R (RURAL DENSITY RESIDENTIAL). STAFF SUPPORTS THIS REQUEST.
- The applicant is requesting to rezone the subject site from R-E (Residence Estates) to R-1 (Single Family Residential). Staff does not support this request.
- A Variance is requested to allow a 43-foot wide private street without a gate and sidewalk on only one side of the private street where sidewalk is required on both sides. Staff does not support this request.
- A Variance is requested to allow a connectivity ratio of 1.00 where 1.30 is required. Staff does not support this request.
- A Petition to Vacate is requested to vacate U.S. Government Patent Easements located adjacent to the perimeter of the site. Staff supports this request.
- Waivers are requested to allow no interior or exterior streetlights, to defer the offsite improvements for Regena Avenue and Jensen Street, and to allow a 184-foot external intersection offset where 220 feet is required. Staff does not support this request.
- THIS REQUEST HAS BEEN AMENDED FROM 18-LOTS TO 16-LOTS.

ANALYSIS

Interlocal Agreement

The subject site, the residential development to the west and the undeveloped 1.96-acre parcel to the east are all part of Accepted Area B. The undeveloped 1.96-acre parcel east of the subject site is within Clark County.

NE

Areas within County boundaries must remain residential and designated at a density of no greater than 3.50 Units per Gross Acre on the County's comprehensive plan, and the County must not accept any General Plan Amendments (GPA) nor amend its land use plan, rezone such properties or approve special or conditional use permits to allow industrial or commercial uses or residential densities above 3.50 Units per Gross Acre.

The areas within City boundaries must remain residential and maintain a minimum buildable lot size of 10,000 square feet and the City must not amend its land use plan, rezone such properties or approve special or conditional use permits to allow industrial or commercial uses or residential lots with a buildable area of less than 10,000 square feet within the areas identified as Planning Area B. The Interlocal Agreement states, “upon completion of the western beltway, both parties acknowledge the boundaries of
Areas A2 and B may change between Ann Road and Lone Mountain at the western beltway with agreement between the City, the County, and existing property owners, modifications to the Planning Areas may occur.”

The adjacent developed parcels to the east are within Accepted Area A2, and the adjacent developed parcels to the south are located within Accepted A1 of the Interlocal Agreement. As stated in the Interlocal Agreement, both of these areas are to remain residential and designated at a density of no greater than 2.0 Units per Gross Acre on the Parties' respective comprehensive plans. The Parties agree that they shall not accept any General Plan Amendments (GPA) nor amend their respective comprehensive plans, rezone such properties or approve special or conditional use permits to allow industrial or commercial uses or residential densities above 2.0 Units Per Gross Acre and each lot will maintain a minimum buildable net lot area of at least 18,000 square feet with a goal of at least 18,500 square feet.”

General Plan Amendment

The applicant has proposed to amend the General Plan designation of the subject site from RNP (Rural Neighborhood Preservation) to R (Rural Density Residential). Staff supports this request as the adjacent developed parcels to the east and south are designated RNP, with the residential development to the west designated both R (Rural Density Residential) and RNP (Rural Neighborhood Preservation) which limits the densities of these adjacent parcels to no more than 3.59 units per acre as well. The proposed R (Rural Density Residential) designation would allow a density up to 3.59 units per acre, which is compatible with the adjacent densities to the west. The residential developments to the east and south are part of Areas A1 and A2 which are required to remain at a density of no more than 2.0 units per gross acre. Staff is recommending approval of the General Plan Amendment as the proposed R (Rural Density Residential) is compatible with the existing surrounding residential developments.

Rezoning

The applicant has proposed to rezone the subject site from R-E (Residence Estates) which requires a minimum lot size of 20,000 square feet, to R-1 (Single Family Residential) which requires a minimum lot size of 6,500 Square feet. While the adjacent neighborhood to the west is also zoned R-1, the General Plan Designation of this residential neighborhood is R (Rural Density Residential) and RNP (Rural Neighborhood Preservation) which allows a maximum density of 3.59. In order to provide a buffer to the existing residential homes in the area, this neighborhood provided larger home sites on the periphery of the neighborhood ranging in size from 9,583 square feet to 19,166 square feet. The smaller home sites (8,712 square feet) are located within the interior of the neighborhood and adjacent to Centennial Parkway, buffered from the larger existing Rural Neighborhood Preservation homes within the area.

While the proposed R-1 zoning district is consistent with the development to the west, eleven of the proposed 16 lots range in size from 6,528 square feet to 7,765 square feet, less than the adjacent lots to the west that range in size from 9,583 square feet to 19,166 square feet. It is only proposed lots seven (9,934 square feet) and ten (9,834 square feet) adjacent to Street "A;" and lots eight (18,015 square feet) and nine (18,010 square feet) with Regena Avenue frontage that are similar to the adjacent development to the west. Due to the majority of the proposed lots not meeting the *Interlocal Agreement* which requires a minimum lot size of 10,000 square feet, and the proposed lot sizes not matching or buffering the existing adjacent residential neighborhoods with a minimum lot size that is similar in size, staff is recommending denial of the Rezoning application.

Variance

The applicant has proposed to develop the proposed cul-de-sac as a private street, but is requesting a Variance to not gate the private street nor develop it to public street standards. Public street standards are a 47-foot wide street with sidewalk on both sides, the applicant is proposing a 43-foot wide street with sidewalk on one side of the street. Due to the proposed private street not being gated nor being developed to public street standards as required by Title 19, staff is recommending denial of the Variance request.

Title 19.04 for Complete Streets requires new residential subdivisions to provide a minimum Connectivity Ratio of 1.30. This ratio allows for the achievement of a connected transportation system as outlined in the City's General Plan to provide a safe and accessible environment for a variety of transportation modes and users. As proposed, the residential subdivision has a connectivity ratio of 1.00. If the applicant would provide a pedestrian gate at the bulb of the cul-de-sac allowing the residential properties adjacent to the street "A" to have pedestrian access to Regena Avenue, this would increase their connectivity ratio to 1.50, thus exceeding the minimum required 1.30. Due to the ability of the subject site to meet the connectivity ratio set forth by Title 19.04 and the applicant's unwillingness to do so, staff is recommending denial of the Variance request.

Waivers
The applicant is requesting a Waiver to allow no interior or exterior street lights, to defer the offsite improvements for Regena Avenue and Jensen Street, and to allow a 184-foot external intersection offset where 220 feet is required for the proposed residential subdivision. Streetlights are an integral part of the City's Complete Street initiative as they contribute to the overall safety of a variety of transportation users including, but not limited to pedestrians, bicyclists, and vehicular traffic by providing lighted roadways for all users. Offsite improvements are necessary to provide adequate right-of-way for future residents that will frequent the adjacent roadways both as drivers and pedestrians, and an intersection offset of 220 feet is necessary to avoid conflicts in vehicular traffic when navigating ingress and egress on both sides of the road. Staff supports the Complete Streets initiative, as it is common for future residents to desire street lighting and fully developed, safe roadways; thus, recommends denial of the multiple Waiver requests.

Petition to Vacate
Staff has no objection to the vacation application request to relinquish the City's interests in U.S. Government Patent Reservations generally located at the southwest corner of Centennial Parkway and Jensen Street. The Vacation request should be sent to all the utilities however, as no right of way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to wait for responses from any of the public utilities or other parties interested in preserving a right in this patent easement. Since only City interests are involved, any utility company's interests will need to be addressed with each respective utility company and will not be affected by the City relinquishing its interest.

Tentative Map
The applicant has proposed to develop an 16-lot residential subdivision on five acres at the southwest corner of Centennial Parkway and Jensen Street.

While the adjacent residential development to the west is also zoned R-1, the lot sizes of that development range in size from 8,700 square feet up to 19,000 square feet, with the existing lots adjacent to the subject site being no smaller than 9,500 square feet in size. The applicant has proposed lot sizes than range in size from 6,528 square feet up to 7,765 square feet for the 14 lots interior to the site and accessed by the proposed cul-de-sac. Only the four exterior lots accessed by Regena Avenue are larger, ranging in size from 9,164 square feet up to 11,116 square feet in size. The majority of the proposed development is not comparable or compatible in lot size with the surrounding existing development and staff is recommending denial of the proposed Tentative Map.

The submitted east/west cross section depicts maximum natural grade greater than two percent across this site. Per the Tables in Subdivision Code 19.06.050 a development with natural slope greater than two percent, is allowed a maximum six-foot retaining wall. A stepped retaining wall with a six-foot maximum retaining is shown on the east property lines and no retaining is shown on the west property line.

The submitted north/south cross section depicts maximum natural grade less than two percent across this site. Per the Tables in Subdivision Code 19.06.050 a development with natural slope less than two percent, is allowed a maximum four-foot retaining wall. No retaining walls are shown in this cross section.

FINDINGS (GPA-75219)

Section 19.16.030(I) of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. **The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,**

   The density of the proposed L (Low Density Residential) is not compatible with the surrounding RNP (Rural Neighborhood Preservation) as the proposed Low Density designation would allow up to 5.49 units per acre where the existing and surrounding RNP designations allows a maximum density of 2.00 units per acre. The proposed Low Density is more than twice the density as the surrounding properties.

2. **The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,**

   The Low Density designation supports the R-E (Residence Estates), R-D (Single Family Residential–Restricted), R-1 (Single Family Residential), R-SL (Residential Small Lot) and R-MH (Mobile/Manufactured Home Residential) zoning districts. While the R-E and R-D would be compatible, the remaining zoning districts allowed by the Low Density designation such as R-1, R-SL, and R-MH are not compatible as the lot sizes permitted by these zoning districts range in size from 4,500 square feet to 6,500 square feet.

3. **There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and**

   The existing adjacent roadways are not fully improved and as part of this application half-street improvements are required for all roadways adjacent to the subject site. The applicant is requesting a Waiver to defer these required street improvements on Regena Avenue and Jensen Street which staff does not support as adequate roadways are necessary to provide a safe mode of transportation for future residents.

4. **The proposed amendment conforms to other applicable adopted plans and policies.**

   The proposed amendment does not conform to or support the policies of the Community Design Element of the Las Vegas 2020 Master Plan which states for, "infill development to be compatible with the existing surrounding development," and for lot sizes to be similar in size with buildings similar in proportion. Developing a residential neighborhood with an average lot size of 8,062 square feet does not support this policy as the surrounding, existing lot sizes range in size from 9,757 square feet up to 46,609 square feet.

FINDINGS (ZON-75220)

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

1. **The proposal conforms to the General Plan.**

   If approved, the proposed R-1 (Single Family Residential) zoning district would conform to the proposed L (Low Density Residential) General Plan designation.

2. **The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.**

   The minimum lot size permitted by the proposed R-1 (Single Family Residential) zoning district is 6,500 square feet, and the applicant is proposing to develop a single-family residential neighborhood with an average lot size of 8,062 square feet which is not comparable or compatible with the existing residential lot sizes adjacent to the subject site. Lot sizes to the west exceed 9,500 square feet, lot sizes to the south exceed 20,000 square feet, and lot sizes to the east range from one-half acre to an acre. The proposed infill development is not compatible with the existing surrounding lot sizes.

3. **Growth and development factors in the community indicate the need for or appropriateness of the rezoning.**

   Development factors in the area do not indicate the need for lot sizes that are smaller than those that currently surround the subject site. Growth and development factors in the area dictate the need for lot sizes that are comparable in size to those that currently surround the subject site.

4. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.**

   If approved, half street improvements would be required adjacent to the subject site in order to make street facilities in the area adequate in size to meet the needs of the proposed single-family residential subdivision. The applicant has requested to defer the half-street improvements which staff does not support as street improvements in this area would be necessary to accommodate 16 additional residences.

FINDINGS (VAR-75221)

In accordance with the provisions of Title 19.16.140(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

> "Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a residential subdivision that does not provide adequate connectivity to meet the required 1.30 connectivity ratio. The addition of a pedestrian gate would allow conformance to this requirement by providing a connectivity ratio of 1.50. In addition, the applicant has proposed a 43-foot wide private street without a gate. Providing an additional four feet of right-of-way and an adequate throat depth for a stacking lane at a gated entrance would allow conformance to the requirements for Complete Streets while adhering to the lot size requirements of the proposed General Plan and zoning designations. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances; therefore, staff is recommending denial of the Variance request.

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
10/05/16	The City Council approved a Petition to Annex (ANX-65644) 5.02 acres at the northwest corner of Regena Avenue and North Jensen Street.
01/22/19	The Planning Commission voted (7-0) to hold in ABEYANCE GPA-75219, ZON-75220, VAR-75221, VAC-75222 and TMP-75223 [PRJ-75024] to the February 26, 2019 Planning Commission meeting.
02/26/19	The Planning Commission voted (7-0) to hold in ABEYANCE GPA-75219, ZON-75220, VAR-75221, VAC-75222 and TMP-75223 [PRJ-75024] to the March 26, 2019 Planning Commission meeting.
03/28/19	The Planning Commission voted (7-0) to APPROVE GPA-75219, ZON-75220, VAR-75221, VAC-75222 and TMP-75223 [PRJ-75024].
05/01/19	The City Council voted to hold in ABEYANCE GPA-75219, ZON-75220, VAR-75221, VAC-75222 and TMP-75223 [PRJ-75024] to the June 5, 2019 City Council meeting.
06/05/19	The City Council voted to hold in ABEYANCE GPA-75219, ZON-75220, VAR-75221, VAC-75222 and TMP-75223 [PRJ-75024] to the June 19, 2019 City Council meeting.
06/19/19	The City Council voted to hold in ABEYANCE GPA-75219, ZON-75220, VAR-75221, VAC-75222 and TMP-75223 [PRJ-75024] to the July 3, 2019 City Council meeting.

Most Recent Change of Ownership	
12/02/03	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There are no related building permits or business licenses for the subject site.

Pre-Application Meeting	
11/07/18	Staff conducted a pre-application meeting where the submittal requirements for the proposed single-family residential subdivision were discussed.

Neighborhood Meeting	
01/09/18	Meeting Start Time: 5:30 p.m. Meeting End Time: 6:00 p.m. (with additional private discussion until 6:30 p.m.) Attendance: 23 members of the public 2 applicant representatives 1 member of Department of Planning staff A short presentation was made describing the requests. Four single-family residential lots are proposed to front along the north side of Regena Avenue; the remaining 14 lots proposed would be situated around a cul-de-sac with access to Centennial Parkway. The development would not be gated. Each unit would be one story in height and average about 2,500 square feet in size. The expected home prices would be within the high $400K to low $500K range. A homeowners' association would be created to maintain common areas and landscaping. The applicant's representative explained that any comments received at this meeting would be communicated to the applicant and possibly incorporated into the proposal. Neighbors' primary concerns were the higher density and lot sizes relative to existing development in the area, increased traffic on Regena Avenue, storm drainage and potential flooding, and property values. One attendee noted that this land is listed as one of the Excepted Areas in the Interlocal Agreement between the city and Clark County in which lots with a buildable area of less than 10,000 square feet are not to be approved. The applicant's representative explained that the Interlocal Agreement allows for negotiation between City, County and property owners regarding smaller lot sizes, which at least permits the applicant to make the request. Neighbors were generally in favor of rural improvements and no streetlights. There was some support on the part of the neighbors for placing several large lots along Regena Avenue and Jensen Street, leaving the smaller lots along Centennial Parkway. The large lots should be as close to 10,000 square feet as possible, if not larger. If pedestrian access from the development were to be provided to Regena (not proposed), it needs to be gated.

Field Check	
12/13/18	Staff observed the undeveloped site during a routine field check. Nothing of concern was noted by staff.

Details of Application Request	
Site Area	
Net Acres	5.00

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	RNP (Rural Neighborhood Preservation)	R-E (Residence Estates)
North	Undeveloped	R (Rural Density Residential)	U (Undeveloped)
South	Single Family, Detached	RNP (Rural Neighborhood Preservation) Clark County	R-E (Rural Estates Residential District) Clark County
East	Undeveloped	RL (Residential Low) Clark County	R-E (Rural Estates Residential District) Clark County
	Single Family, Detached	RNP (Rural Neighborhood Preservation) Clark County	
West	Single Family, Detached	R (Rural Density Residential)	R-1 (Single Family Residential)
		RNP (Rural Neighborhood Preservation)	

NE

Master and Neighborhood Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Area and Overlay Districts	***Compliance***
No Applicable Special Area or Overlay Districts	N/A
Other Plans or Special Requirements	***Compliance***
Northwest Open Space Plan	Y
Trails – Multi-Use Non-Equestrian Trail	Y
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement – Accepted Area B	N*
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

**The Interlocal Agreement states the subject site shall maintain a developable density no greater than 3.50 dwelling units per acre, with minimum lot sizes of 10,000 square feet. The applicant has proposed a General Plan density that would allow a density of 5.49 dwelling units per acre and a zoning district that would allow a minimum lot size of 6,500 square feet, densities well above what the Interlocal Agreement requires.*

DEVELOPMENT STANDARDS

Pursuant to Title 19.06, the following development standards apply for the R-1 zoning district:

Standard	***Required/Allowed***
Min. Lot Size	6,500 SF
Min. Lot Width	60 Feet
Min. Setbacks • Front • Side • Corner • Rear	 20 Feet 5 Feet 15 Feet 15 Feet
Max. Lot Coverage	50 %
Max. Building Height	2 Stories / 35 Feet

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width • North • East	 5 Feet 6 Feet		 5 Feet 6 Feet	 Y* Y

**The applicant is required to install a Multi-Use Transportation Trail adjacent to the northern property line, which includes a ten-foot wide sidewalk with five feet of landscaping on both sides of the sidewalk.*

NE

Existing Zoning	***Permitted Density***	***Units Allowed***
R-E (Residence Estates)	20,000 SF Lots	10.89
Proposed Zoning	***Permitted Density***	***Units Allowed***
R-1 (Single Family Residential)	6,500 SF Lots	33.51
Existing General Plan	***Permitted Density***	***Units Allowed***
RNP (Rural Neighborhood Preservation)	2.00	10.00
Proposed General Plan	***Permitted Density***	***Units Allowed***
L (Low Density Residential)	5.49	27.45

Pursuant to Title 19.06, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Buffer Trees: • North • East	 1 Tree / 20 Linear Feet 1 Tree / 30 Linear Feet	 10 Trees 19 Trees	 10 Trees 28 Trees	 Y Y
TOTAL PERIMETER TREES		**29 Trees**	**38 Trees**	**Y**

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Centennial Parkway	Primary Arterial	Master Plan of Streets and Highways	29	N*
Jensen Street	Local Street	Title 13	20	N*
Regena Avenue	Local Street	Title 13	27	N*

**Half street improvements adjacent to the site are required as part of the proposed development.*

NE

19.04.040 Connectivity			
Transportation Network Element		***# Links***	***# Nodes***
Internal Street		1	
Cul-de-sac Terminus			1
Total		1	1
	Required	***Provided***	
Connectivity Ratio (Links / Nodes):	**1.30**	**1.00**	

**A Variance is requested to allow a reduced connectivity ratio. The addition of a pedestrian gate allowing access from the cul-de-sac bulb to Regena Avenue would result in a connectivity ratio of 1.50 and conformance to this requirement; therefore, staff does not support this request.*

Waivers		
Requirement	***Request***	***Staff Recommendation***
Streetlights are required 18-inches back of curb on the exterior and interior of residential neighborhoods.	To allow no interior or exterior streetlights.	Denial
Offsite improvements are required for all right-of-way adjacent to a proposed development.	To defer the offsite improvements for Regena Avenue and Jensen Street.	Denial
220 feet is required between external intersections.	To allow a 184-foot external intersection offset.	Denial

NE

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: _____ APN: 125-30-101-006

Name of Property Owner: Aleksandra Barbier Living Trust

Name of Applicant: D.R. Horton

Name of Representative: GCW, Inc. / Angie Scott / ascott@gcwengineering.com

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Robert J. Barbier SUCCESSOR TRUSTEE

Print Name: ROBERT J. BARBIER SUCCESSOR TRUSTEE

Subscribed and sworn before me

This 8 day of October, 2018

Brooke Davis

Notary Public in and for said County and State

BROOKE DAVIS
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 17-3408-1
My Appt. Expires Aug. 23, 2021

Revised 03/28/16

PRJ-75024
12/03/18

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: GPA, ZON, VAR, VAC, TMP

Project Address (Location) Centennial Parkway and Jensen Street

Project Name Centennial Jenson 5 **Proposed Use** S.F. Residential

Assessor's Parcel #(s) 125-30-101-006 **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing _____ proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres 5.0 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Barbier Living Trust **Contact** ROBERT J. BARBIER

Address 1211 SHEFFIELD WAY **Phone:** (916) 773-1365

City ROSEVILLE **State** CA **Zip** 95661-5539

E-mail Address BBCUSTOMPOOLSPA@YAHOO.COM

APPLICANT D.R. Horton, Inc. **Contact** Michael Cuddy

Address 1081 Whitney Ranch Drive #141 **Phone:** (702) 635-3600 **Fax:** (682) 703-3338

City Henderson **State** NV **Zip** 89014

E-mail Address mpcuddy@drhorton.com

REPRESENTATIVE GCW, Inc. **Contact** Angie Scott

Address 1555 S. Rainbow Boulevard **Phone:** (702) 804-2126 **Fax:** (702) 804-2126

City Las Vegas **State** NV **Zip** 89146

E-mail Address ascott@gcwengineering.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* Robert J. Barbier

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name ROBERT J. BARBIER SUCCESSOR TRUSTEE

Subscribed and sworn before me

This 8 day of October, 20 18.

Brooke Davis

Notary Public in and for said County and State

BROOKE DAVIS
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 17-3408-1
My Appt. Expires Aug. 23, 2021

FOR DEPARTMENT USE ONLY
Case #
Meeting Date:
Total Fee:
Date Received:*
Received By:

*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for conformance with applicable sections of the Zoning Ordinance.

PRJ-75024
12/03/18

Revised 03/28/16

GPA-75219



General Plan Amendment

- RNP - Rural Neighborhood Preservation
- RE - Rural Estates
- DR - Desert Rural
- R - Rural
- L - Low
- ML - Medium - Low
- MLA - Medium - Low Attached
- M - Medium
- H - High
- O - Office
- SC - Service Commercial
- GC - General Commercial
- GTC - Tourist Commercial
- LVMD - Las Vegas Medical District
- LI/R - Light Industrial / Research
- PCD - Planned Community Development
- PR-OS - Park/Recreation/ Open Space
- PF - Public Facility
- PF-CC Public Facility Clark County
- TC - Town Center
- RC - Resource Conservation
- C - Downtown - Commercial
- MXU - Downtown - Mixed Use
- TND - Tradional Neighborhood Development

FROM RNPTO L

- Subject Property
- 1000ft Buffer
- City Limits

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Thursday, December 06, 2018

LANDSCAPE PLAN FOR CENTENNIAL JENSEN 5

APN # 138-05-801-025

January 16, 2019

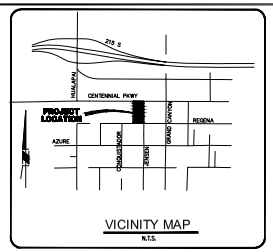
LEGAL DESCRIPTION

PARCEL 025:
THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) IN SECTION 5, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.B.&M.,

EXCEPTING THEREFROM THAT PORTION OF LAND CONVEYED TO THE CITY OF LAS VEGAS BY PERSONAL REPRESENTATIVE'S DEED RECORDED APRIL 10, 2003 IN BOOK 20030410 AS INSTRUMENT NO. 02522 OF OFFICIAL RECORDS.

BASIS OF BEARING

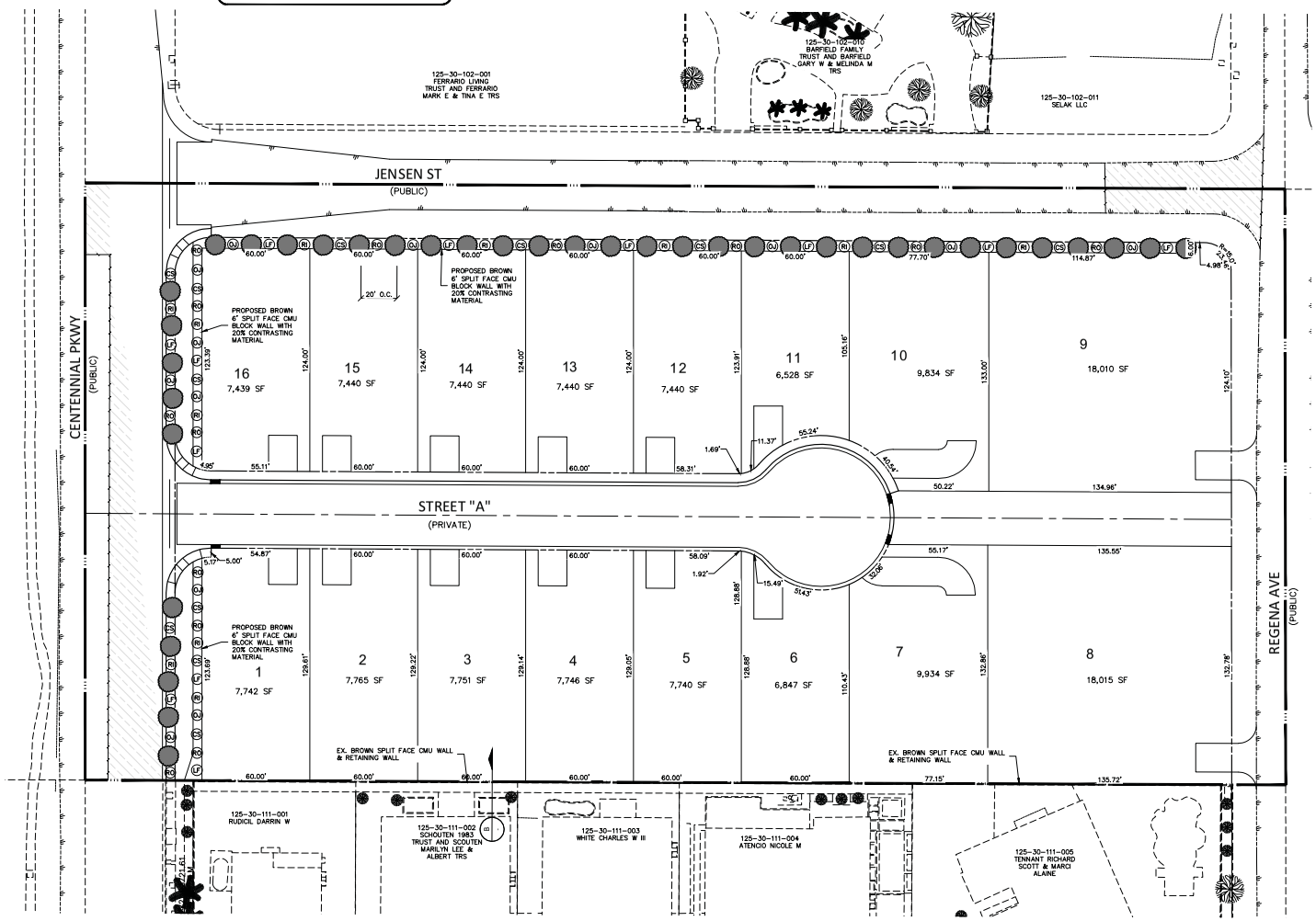
NORTH 89°42'13" EAST, BEING THE BEARING OF THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 5, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA AS SHOWN IN BOOK 152, PAGE 17 OF PLATS ON FILE AT THE CLARK COUNTY, NEVADA RECORDER'S OFFICE.

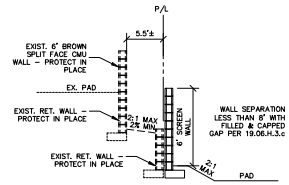


VICINITY MAP
N.T.S.

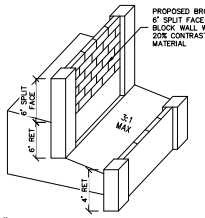
NORTH

SCALE 30 0 30 60 FEET





EX. WALL DETAIL B
SCALE: N.T.S.



WALL DETAIL A
SCALE: N.T.S.

PLANT MATERIALS LEGEND



	TREES	SIZE
	Fraxinus Angustifolia Raywood Ash	24" box
	Fraxinus velutina "Rio Grande" Fan tex ash	24" box
	Fraxinus velutina Multi-Trunk Arizona Ash	24" box

	EXTRA LARGE SHRUBS	SIZE
RO	Rosmarinus officinalis "Tuscan Blue" Tuscan Blue Rosemary	5 gal.
LF	Leucophyllum frutescens compacta Compact Texas Ranger	5 gal.
OJ	Tecoma alta "Orange Jubilee" Orange Jubilee	5 gal.

	MEDIUM SHRUBS	SIZE
CS	Leucophyllum frutescens compacta Compact Green Cloud Sage	5 gal.
RI	Rhaphiolepis indica "Pinkie" Indian Hawthorn	5 gal.

	SMALL SHRUBS/ACCENTS	SIZE
HA	Hymenoxis acaulis Angelita Daisy	1 gal.
LM	Lantana montevidensis Trailling Purple Lantana	1 gal.
DM	Myrtus communis "compacta" Dwarf Myrtle	1 gal.

	CACTUS/ACCENTS	SIZE
HP	Hesperaloe parviflora–yellow Yellow Hesperaloe	5 gal.

	GROUND COVERS	SIZE
DG	Dalea capitata "Sierra Gold" Sierra Gold Dalea	1 gal.
RT	Rosmarinus officinalis Trailling Rosemary	5 gal.

INERTS

Decomposed Granite 3/4" Screened
Apache Brown

PRJ-75024
01/30/19

City Council - Page 1617

DATE: % COMPLETE

REV	DATE	DESCRIPTION	DATE	AGEN APP	DATE	GCW APP

PROJECT NO. 767-639
DESIGN:
DRAWN:
CHECK:
PLOT DATE: 01-16-19
PLOT TIME: 15:43:10

GCW ENGINEERS & SURVEYORS
1555 S. RAINBOW BLVD.
LAS VEGAS, NV 89146
T: 702.804.2000
F: 702.804.2299
gcwengineering.com

F:\PROJECTS\7000\767-639\GWC\TENTMAP\MASTER_LS.DWG
KARYNAH LEE

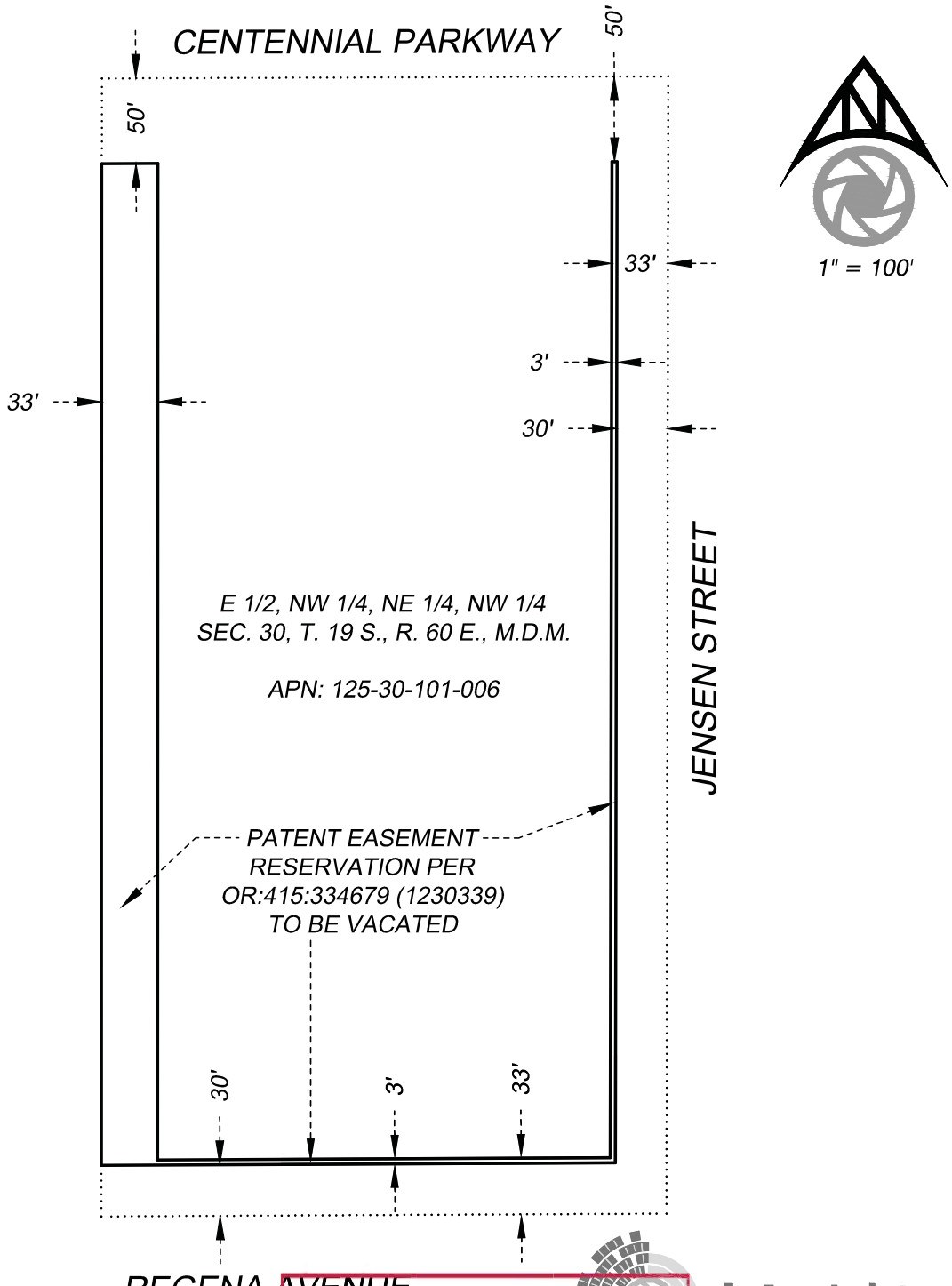
D.R. HORTON

CENTENNIAL JENSEN 5

LANDSCAPE PLAN

DRAWING
LS
1 OF 1 SHTS

EXHIBIT "B" TO ACCOMPANY DESCRIPTION



PRJ-75024
01/30/19

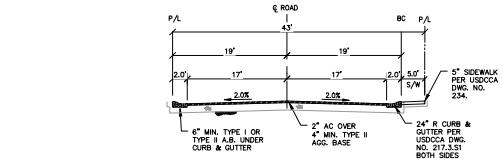
datasight

2451 S. BUFFALO DRIVE, SUITE 105
LAS VEGAS, NV 89117
OFFICE: 702-442-0996 | DATASIGHTUSA.COM

J:\DRH\18126\Division\LV Survey\Legals\Exhibits\DRH-18126_PEV-EX01.dwg

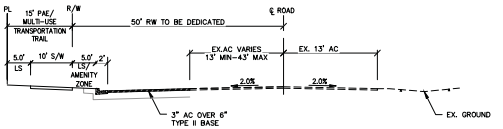
PAGE 1 OF 1

TENTATIVE MAP FOR
CENTENNIAL JENSEN 5
125-30-101-006



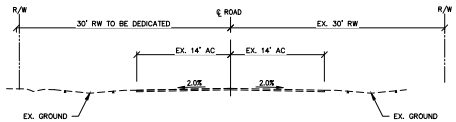
43' PRIVATE STREET — A

SCALE: N.T.S.



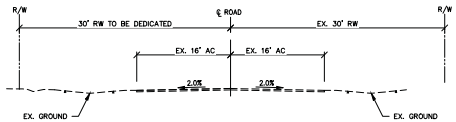
CENTENNIAL PKWY - PUBLIC — B

SCALE: N.T.S.



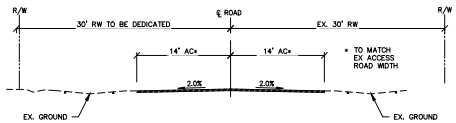
JENSEN ST - PUBLIC — C

SCALE: N.T.S.



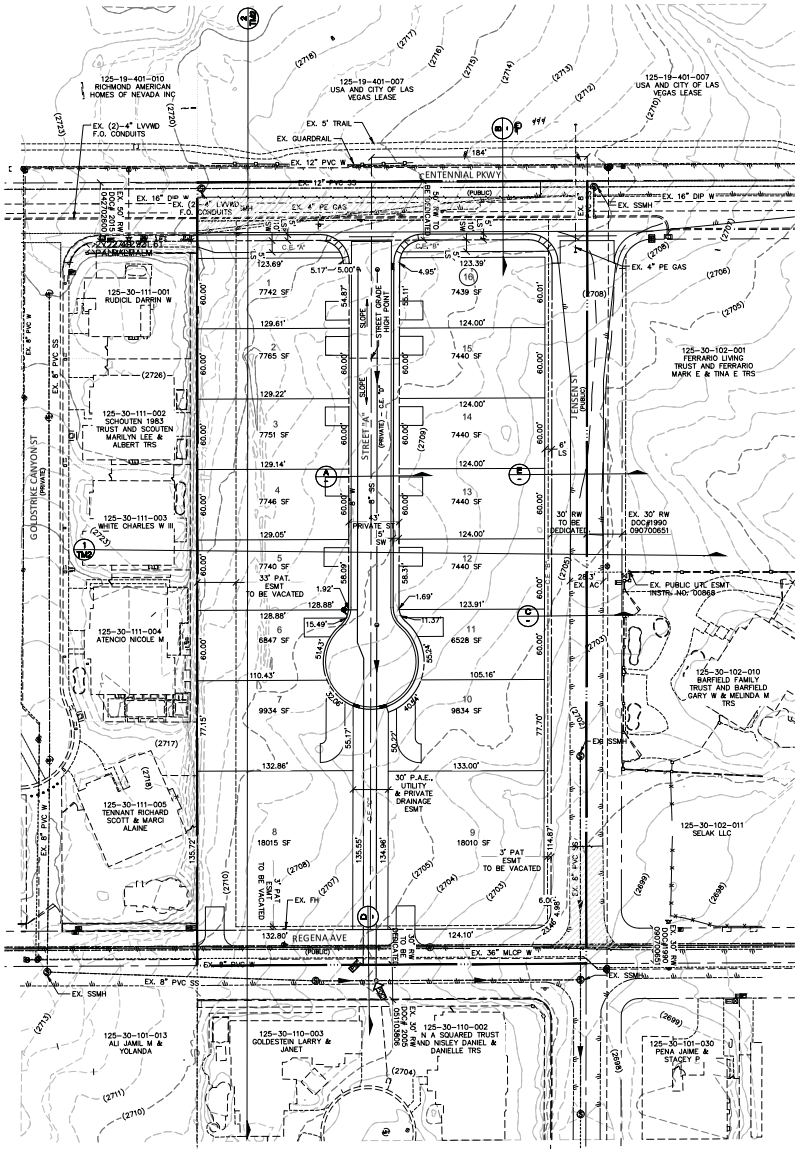
REGENA AVE - PUBLIC — D

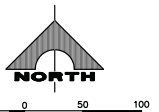
SCALE: N.T.S.



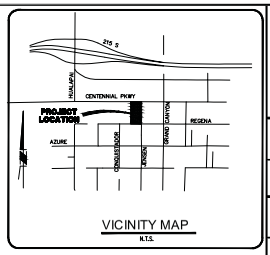
JENSEN ST - PUBLIC — E

SCALE: N.T.S.





January 16, 2019



VICINITY MAP

N.T.S.

LEGAL DESCRIPTION

THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B.&M.

NOTES

1. ALL COMMON ELEMENTS TO BE MAINTAINED BY THE HOME OWNER'S ASSOCIATION.
2. THE NEAREST WATER IS LOCATED ON CENTENNIAL, NORTH OF THE PROPOSED SITE.
3. THE NEAREST SEWER IS LOCATED ON CENTENNIAL, NORTH OF THE PROPOSED SITE.
4. THERE IS NO KNOWN MAPPED OR OBSERVABLE FAULTS AND FISSURES, AS WELL AS SETBACK TO ANY FAULTS.
5. THERE IS NO KNOWN GROUNDWATER DEPTHS HISTORICALLY WITHIN 20 FEET OF THE EXISTING GROUND SURFACE.
6. THIS SUBDIVISION IS NOT PART OF A MASTER PLAN.
7. THIS PARCEL IS NOT IN A 100–YR FLOOD ZONE OR IS AFFECTED BY A LOMR.
8. PERIMETER STREETS, DRAINAGE CORRIDORS, SEWER CORRIDORS, PARKS, TRAILS, OPEN SPACES, AND SCHOOLS ARE TO BE PUBLIC.

RESTRICTIVE COVENANT NOTE

A DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND RESERVATION OF EASEMENTS SHALL BE ESTABLISHED AT A LATER DATE.

LEGEND

- CENTER LINE
- RIGHT OF WAY
- PROPERTY LINE
- LOT LINE
- EXISTING EDGE OF PAVEMENT
- PROPOSED EDGE OF PAVEMENT
- PROPOSED SEWER
- PROPOSED WATER
- 25 — LOT NUMBER

SETBACK REQUIREMENTS

FRONT YARD:	20'
SIDE YARD:	5'
SIDE YARD (CORNER):	15'
REAR YARD:	15'

SITE DATA

ZONING
EXISTING ZONING: RESIDENCE ESTATES DISTRICT (R–E)
PROPOSED ZONING: SINGLE FAMILY RESIDENTIAL (R1)
PROPOSED USE: SINGLE FAMILY RESIDENTIAL DISTRICT

LOTTING

NO. OF RESIDENTIAL LOTS	= 16
NO. OF COMMON LOTS	= 3
(COMMON=RESIDENTIAL)	= 19

DENSITY

NO. OF LOTS	= 16
GROSS ACREAGE	= 5.09 AC
GROSS DENSITY	= 3.14 UNIT/AC

LOT SIZE

MAXIMUM LOT SIZE SF	= 18015 SF
MINIMUM LOT SIZE SF	= 6528 SF
AVERAGE LOT SIZE	= 9070 SF

OWNER

BARBIER ALEKSANDRA LIVING TRUST AND BARBIER ALEKSANDRA TRS
3188 BRAZOS STREET
LAS VEGAS, NV 89109

DEVELOPER

DR HORTON
1081 WHITNEY RANCH DR
HENDERSON, NV 89014
(702) 635-3600

PRJ 75024
01/30/19

GCW ENGINEERS\SURVEYORS
1555 S. RAINBOW BLVD.
LAS VEGAS, NV 89146
T: 702.804.2000
F: 702.804.2299
gcwengineering.com

UTILITY SERVICES

LAS VEGAS VALLEY WATER DISTRICT – WATER
CITY OF LAS VEGAS – SEWER
REPUBLIC SERVICES – DISPOSAL
NV ENERGY – POWER
SOUTHWEST GAS CORPORATION – GAS
CENTRAL TELEPHONE CO. DBA CENTURY LINK – TELEPHONE
COX COMMUNICATION – CABLE

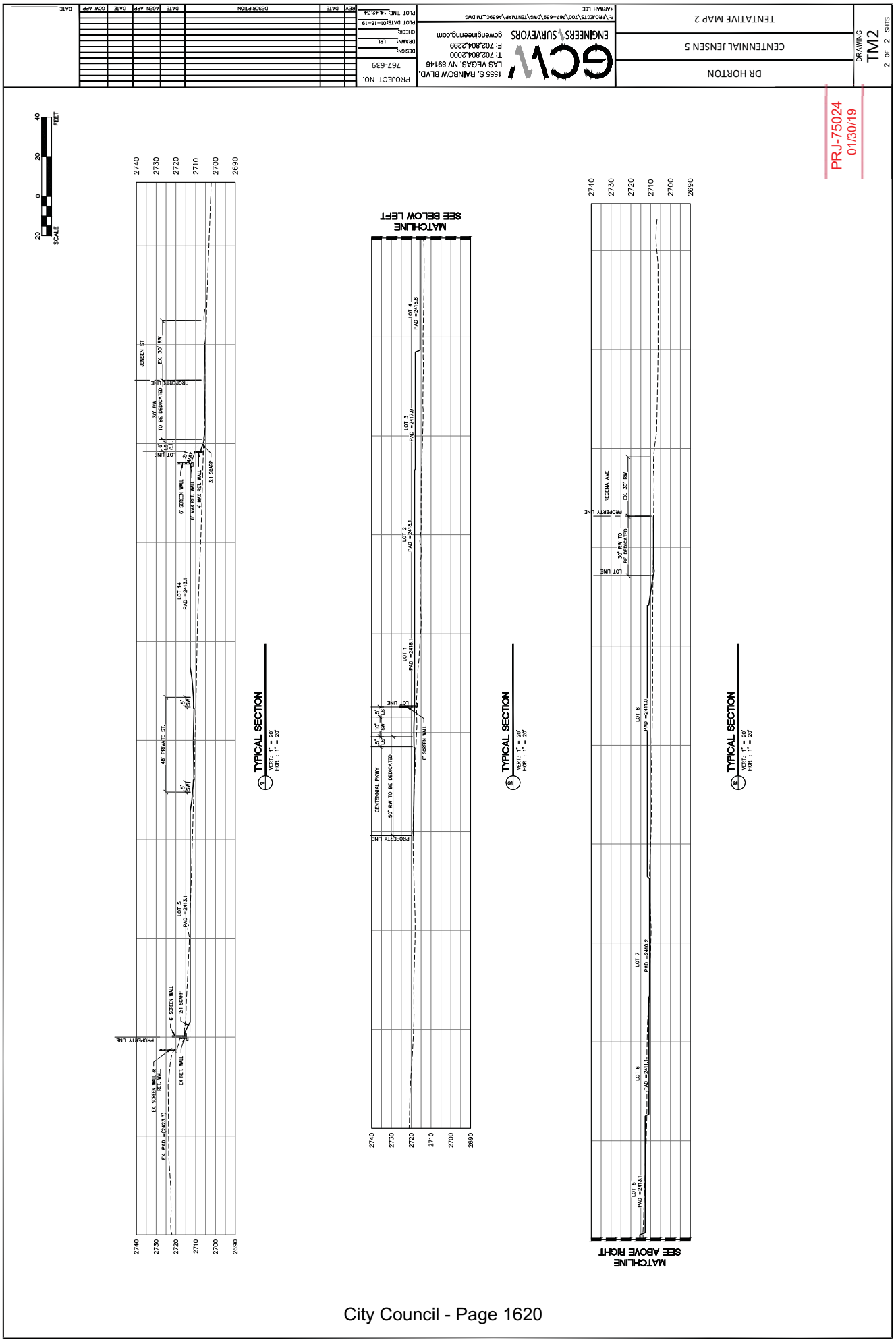
DR HORTON
CENTENNIAL JENSEN 5
TENTATIVE MAP

DRAWING
TM
1 OF 2 SHTS

PROJECT NO. 767-639
DESIGN:
DRAWN: LRL
CHECK:
PLOT DATE: 01-16-19
PLOT TIME: 16:48:42

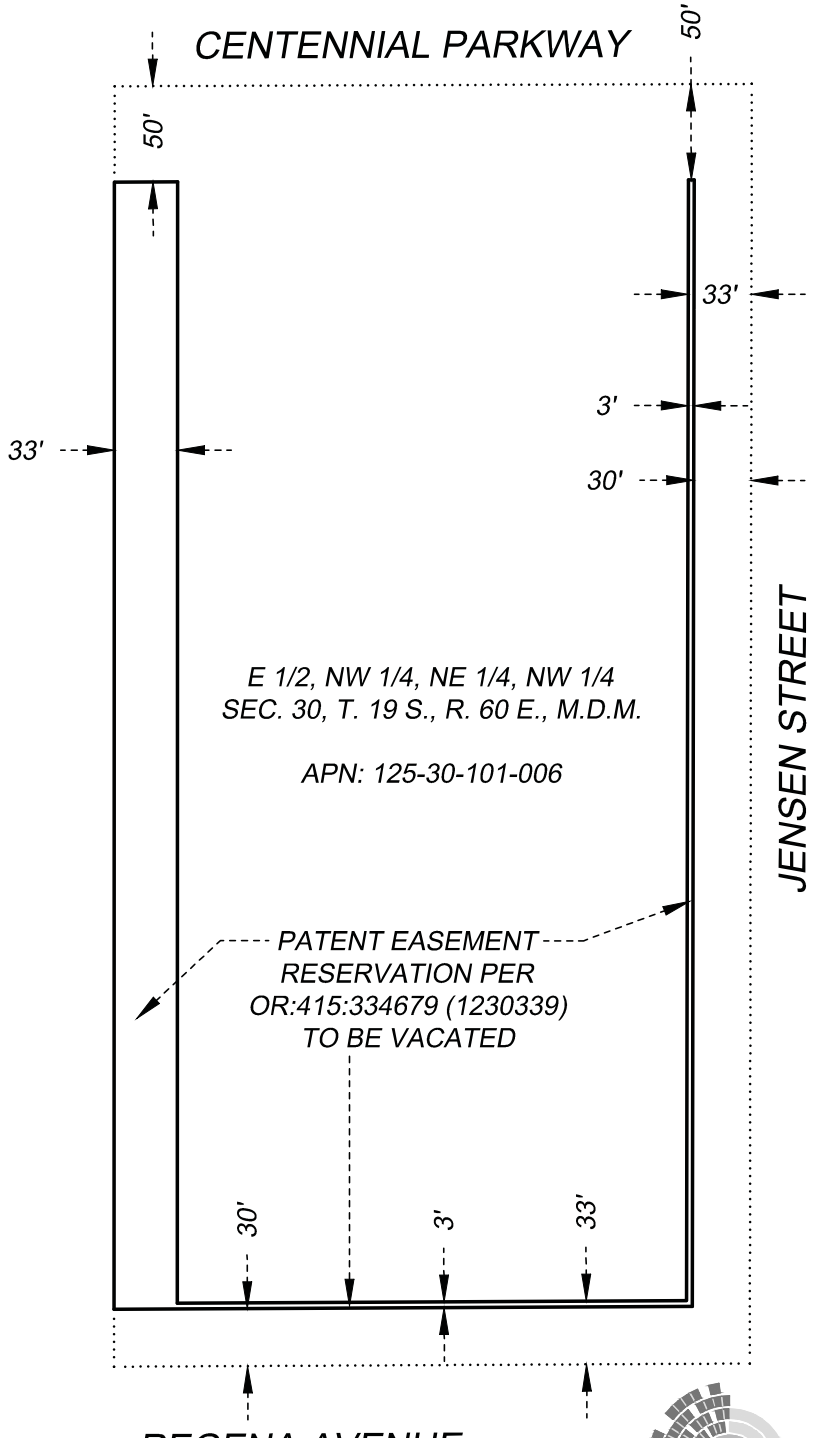
F:\PROJECTS\700\767-639\DWG\TENTMAP\767-639C_TM.DWG
KARINAH LEE

DATE | DESCRIPTION | REV | DATE | PGEN APP | DATE | GCW APP | DATE



DR HORTON
CENTENNIAL JENSEN 5
TENTATIVE MAP 2
DRAWING
TM2
2 OF 2 SHTS
GCW
ENGINEERS SURVEYORS
gcwengineering.com
1555 S. RAINBOW BLVD.
LAS VEGAS, NV 89146
T: 702.804.2000
F: 702.804.2299
PROJECT NO.
767-639
PRJ-75024
01/30/19
SCALE
FEET
TYPICAL SECTION
VERT.: 1" = 20'
HOR.: 1" = 20'
MATCHLINE
SEE BELOW LEFT
MATCHLINE
SEE ABOVE RIGHT
JENSEN ST
PROPERTY LINE
EX. 30' RW
30' RW TO BE DEDICATED
6' SCREEN WALL
6' MAX RET. WALL
4' MAX RET. WALL
3:1 SCARP
48' PRIVATE ST.
2:1 SCARP
EX. SCREEN WALL & RET. WALL
EX. RET. WALL
EX. PAD =(2423.3)
LOT 14
PAD =2413.1
LOT 5
PAD =2413.1
LOT 4
PAD =2415.8
LOT 3
PAD =2417.9
LOT 2
PAD =2418.1
LOT 1
PAD =2418.1
CENTENNIAL PKWY
50' RW TO BE DEDICATED
REGENA AVE
LOT 8
PAD =2411.0
LOT 7
PAD =2410.2
LOT 6
PAD =2411.1
LOT 5
PAD =2413.1

EXHIBIT "B" TO ACCOMPANY DESCRIPTION



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datasight
2451 S. BUFFALO DRIVE, SUITE 105
LAS VEGAS, NV 89117
OFFICE: 702-442-0996 | DATASIGHTUSA.COM

PAGE 1 OF 1

PRJ-75024
12/03/18

GPA-75219, ZON-75220, VAR-75221, VAC-75222 and TMP-7522



GPA-75219 [PRJ-75024] - GENERAL PLAN AMENDMENT RELATED TO ZON-75220, VAR-75221, VARC-75222 AND TMP-75223 - APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST
SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND JENSEN STREET

12/13/18

Cit



GPA-75219 [PRJ-75024] - GENERAL PLAN AMENDMENT RELATED TO ZON-75220, VAR-75221, VARC-75222 AND TMP-75223 - APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND JENSEN STREET

12/13/18

Cit



GPA-75219 [PRJ-75024] - GENERAL PLAN AMENDMENT RELATED TO ZON-75220, VAR-75221, VARC-75222 AND TMP-75223 - APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST
SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND JENSEN STREET

12/13/18

Cit

767-639

November 30, 2018

GCW ENGINEERS \ SURVEYORS

City of Las Vegas
Planning Department
333 N. Rancho Drive
Las Vegas, NV 89106

RE: Centennial Jensen 5 APN 125-30-101-006

Dear Sir/Madam:

On behalf of our client, DR Horton, this letter is submitted as justification for a Tentative Map, Zone Change, and General Plan Amendment with various variances, and waivers in support of a 5.0+- acre development located at the southwest corner of Centennial Parkway and Jensen Street, R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 6.

The proposed Centennial Jensen 5 residential subdivision is proposing 18 dwelling units on 5.0+- acres. We are proposing a rezoning from R-E to R-1 with 6,500 minimum square foot lots which requires an amendment to the General Plan for Proposed R-1 zoning. The proposed R-1 zoning is compatible with several nearby developments adjacent to Centennial Parkway including the existing development directly west of the proposed subdivision.

We are proposing the following Waivers and Variances from Title 19:

Waiver #1
Minor collector streets – to allow no exterior streetlights along Jensen and Regena (public streets) where such is required (19.04.120 and 19.04.200)

Waiver #2
Minor collector streets – to allow deferral of off-site improvements (curb, gutter, sidewalk, or amenity zone) on Jensen and Regena (public streets) where such are required (19.04.120 and 19.04.200)

Waiver #3
Intersection offset – to allow a 184-foot external intersection offset from Jensen Street where 220 feet is required. (19.04.070 and 19.040.210)

Variance #1
43-foot wide non-gated private street with sidewalk on one side where 47-foot wide streets with sidewalks on both sides are required (19.04.03, 19.04.070 and 19.040.210)

Vacation
We are proposing to vacate existing patent easements within the subject parcel that are no longer needed.

PRJ-75024

GPA-75219, ZON-75220, VAR-75221, VAC-75222 and TMP-752

We appreciate your consideration of these requests. Please give me a call at 702-804-2126 if you have any questions or concerns.

Cordially,

GCW, Inc.

Angie Scott
Project Coordinator
(702) 804-2126
ascott@gcwengineering.com

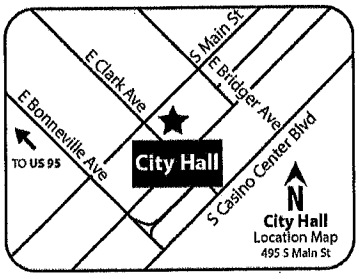
PRJ-75024
12/03/18

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

RECEIVED
CITY CLERK
2019 MAY 13 P 12:35

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-75219 [PRJ-75024]
City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530503002
FRANKS PAUL
CRANE-FRANKS ILEENE
6275 N PARK ST
LAS VEGAS NV 89149-2376

KAEMPFER CROWELL
ATTORNEYS AT LAW

LAS VEGAS OFFICE
ANTHONY J. CELESTE
aceleste@kcnvlaw.com
702.693.4215

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CITY CLERK

2019 JUN 18 P 3:18

LAS VEGAS OFFICE
1980 Festival Plaza Drive
Suite 650
Las Vegas, NV 89135
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

CARSON CITY OFFICE
510 West Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.883.0257

June 18, 2019

VIA FACSIMILE
702-382-4803

LuAnn D. Holmes
City of Las Vegas City Clerk
495 S. Main Street
Las Vegas, NV 89101

Re: Request for Hold (Items #94 - #98)
DR Horton (Centennial/Jensen 5)
Application Nos. GPA-75219; ZON-75220; VAR-75221; VAC-7522; TMP-75223

Dear Ms. Holmes:

Please be advised that this office represents the applicant in the above-referenced matter. We respectfully request that this item be held for two (2) weeks from the presently scheduled Las Vegas City Council hearing of **June 19, 2019** until the **July 3, 2019** hearing. The additional time is needed to continue to meet with the neighbors.

Thank you for your kind consideration and please contact our office if you have any questions.

Very truly yours,
KAEMPFER CROWELL

Anthony J. Celeste

AJC/mao

Submitted after final agenda
Date 6/18/19 Item 5 94-98

KAEMPFER CROWELL
ATTORNEYS AT LAW

LAS VEGAS OFFICE
ANTHONY J. CELESTE
aceleste@kcnvlaw.com
702.693.4215

LAS VEGAS OFFICE
1980 Festival Plaza Drive
Suite 650
Las Vegas, NV 89135
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

CARSON CITY OFFICE
510 West Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

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CITY CLERK
2019 JUN -4 A 9:43

June 4, 2019

VIA FACSIMILE
702-382-4803

LuAnn D. Holmes
City of Las Vegas City Clerk
495 S. Main Street
Las Vegas, NV 89101

Re: Request for Hold (Items #51 - #55)
DR Horton (Centennial/Jensen 5)
Application Nos. GPA-75219; ZON-75220; VAR-75221;
VAC-7522; TMP-75223

Dear Ms. Holmes:

Please be advised that this office represents the applicant in the above-referenced matter. We respectfully request that this item be held for two (2) weeks from the presently scheduled Las Vegas City Council hearing of **June 5, 2019** until the **June 19, 2019** hearing. The additional time is needed to continue to meet with the neighbors.

Thank you for your kind consideration and please contact our office if you have any questions.

Very truly yours,
KAEMPFER CROWELL

Anthony J. Celeste

AJC/mao

Submitted after final agenda
Date 6/4/19 Item 51-55

KAEMPFER CROWELL
ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE
aceleste@kcnvlaw.com
702.693.4215

LAS VEGAS OFFICE
1980 Festival Plaza Drive
Suite 650
Las Vegas, NV 89135
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

CARSON CITY OFFICE
510 West Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

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2019 APR 30 P 4:40

April 30, 2019

VIA FACSIMILE
702-382-4803

LuAnn D. Holmes
City of Las Vegas City Clerk
495 S. Main Street
Las Vegas, NV 89101

Re: ***Request for Hold (Items #71 - #75)***
DR Horton (Centennial/Jensen 5)
Application Nos. GPA-75219; ZON-75220; VAR-75221;
VAC-7522; TMP-75223

Dear Ms. Holmes:

Please be advised that this office represents the applicant in the above-referenced matter. We respectfully request that this item be held for 30 days from the presently scheduled Las Vegas City Council hearing of **May 1, 2019** until the **June 5, 2019** hearing. The additional time is needed to meet with the neighborhoods.

Thank you for your kind consideration and please contact our office if you have any questions.

Very truly yours,
KAEMPFER CROWELL

Anthony J. Celeste

AJC/mao

Submitted after final agenda
Items 71-75

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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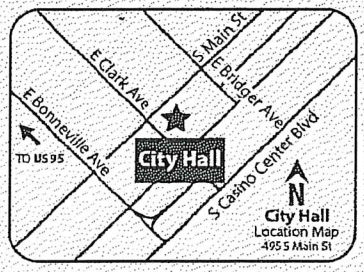

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
GPA-75219 [PRJ-75024]
City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530210004
EATON BRIAN SPENCER & MARYANNE
6196 BEDFORD FALLS CIR
LAS VEGAS NV 89149-1430

127 BRDGNP1 89149

City of Las Vegas
Office of The City Clerk
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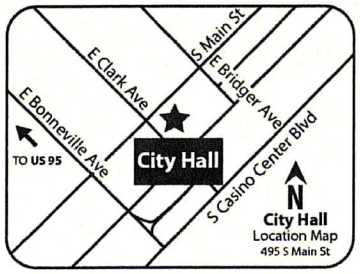

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GPA-75219 [PRJ-75024]
City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530102006
LUCHINGER LIVING TRUST
LUCHINGER FERDINAND & URSULA CO-
6325 N GRAND CANYON DR
LAS VEGAS NV 89149

Submitted after final agenda
Item 71

127 BRDGNP1 89149

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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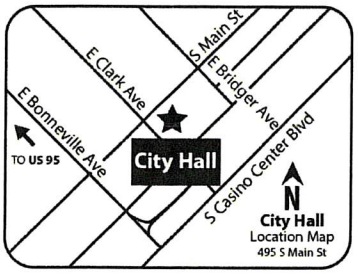

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Please use available blank space on card for your comments.

GPA-75219 [PRJ-75024]
City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530102008
BROADHEAD RANDY E & VIVIAN S
6385 GRAND CANYON DR
LAS VEGAS NV 89149-1302

127 BRDGNP1 89149

City of Las Vegas
Office of The City Clerk
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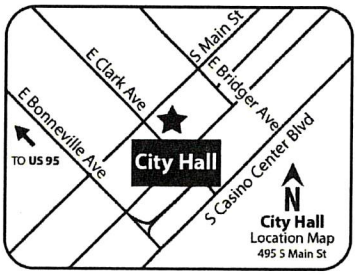

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GPA-75219 [PRJ-75024]
City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530102009
BROADHEAD IRREVOCABLE TRUST
BROADHEAD RANDY E TRS
6385 GRAND CANYON DR
LAS VEGAS NV 89149-1302

127 BRDGNP1 89149

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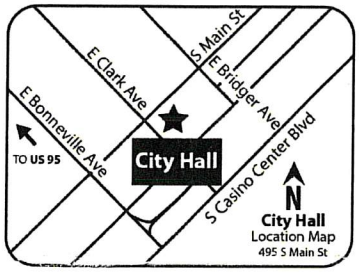

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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GPA-75219 [PRJ-75024]

City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530111011
CHAPARIAN MARK
ROBERTS-CHAPARIAN LORA
9780 ARCH CANYON CT
LAS VEGAS NV 89149

127 BRDGNP1 89149

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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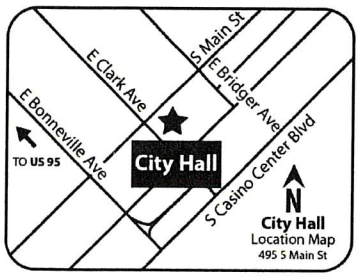

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-75219 [PRJ-75024]

City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530111002
SCHOUTEN 1983 TRUST
SCHOUTEN MARILYN LEE & ALBERT TR
6370 GOLDSTRIKE CANYON ST
LAS VEGAS NV 89149

Submitted after final agenda
Item 71

127 BRDGNP1 89149

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2019 APR 24 P 12:05

4/23/19

City of Las Vegas

Department of Planning

Development Services Center

333 N. Rancho Dr., 3rd Floor

Las Vegas, NV 89106

Ref: GPA-75219 and ZON-75220 (PRJ-75024)

Planning Commission Meeting - April 23, 2019

This is to file a PROTEST which I want to be noted in your files.

As a 37 year resident of Las Vegas and the RNP (Rural Neighborhood Preservation), I strongly oppose this request by Dr. Horton for a rezoning to R-1 on the 5.0 acres located at the southwest corner of Centennial Parkway and Jensen Street (APN 125-30-101-006). The Developer Dr. Horton **should not** be allowed the variance or be allowed to change existing zoning from RE to R-1 within the RNP.

However, I am not opposed to granting the Developer a Vacation relating to the U.S. Government Patent Easements.

Sincerely,

James P. Padgett

8690 W. Fisher Avenue

Las Vegas, NV 89149

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APR 23 2019

City of Las Vegas
Department of Planning

5/1/19 CC

Submitted after final agenda
Items 71-72

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2019 APR 25 A 11:51

City of Las Vegas
Office of The City Clerk
495 S. Main Street, 2nd Floor
Las Vegas, NV 89101

April 24, 2019

Ref TMP-75223, GPA-75219 and ZON-75220
City Council hearing May 1, 2019

This is to file a protest which I want to be noted in your files.

I strongly oppose this request for a re-zoning to R-1 and the request to build 18 homes on this 5 acre parcel. This lot is within our RNP where ½ acre lots dominate. I wish to point out that I strongly support and wish to protect the Interlocal Agreement which is in place in our area and should also be considered by the Planning Commission before voting on this request.

I realize that we should be realistic and that there is a need to work with the developer. I understand that along Centennial Pkwy we could allow for a deviation from the ½ acre per house requirement. It would be appropriate for the developer to come up with a new plan to build 12 or up to a max of 14 homes on this 5 acre parcel. The plan should be to build 4 homes on the 2 acres along/adjoining Regena Ave and 8-10 homes on the remaining 3 acres budding on Centennial Pkwy. Such a revised plan would be more appropriate and fit into the existing neighborhood.

FYI, I had proposed the above to D.R. Horton's attorney who chaired the neighborhood meeting for this development.

It is important that you take into consideration that the **staff recommends DENIAL** of this application. After all, they are the people who know all the rules and regulations and there is a good reason why they recommend denial. Please, I urge you NOT to approve this.

Sincerely,

U. Luchinger

Ursula Luchinger
6325 N. Grand Canyon Dr.
Las Vegas, NV 89149

Submitted after final agenda
Items 71, 72, 75

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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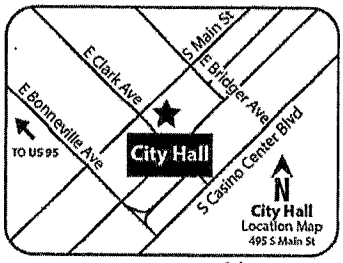

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City of Las Vegas

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or submit your comments online at https://cityoflasvegas.formstack.com/forms/plan_app_comments_2018
If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.
GPA-75219 and ZON-75220 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

Case: GPA-75219 AND ZON-75220
12530102009
BROADHEAD IRREVOCABLE TRUST
BROADHEAD RANDY E TRS
6385 GRAND CANYON DR
LAS VEGAS NV 89149-1302

12P LRDFMP1 89149

17-18P

City of Las Vegas
Department of Planning
Development Services Center
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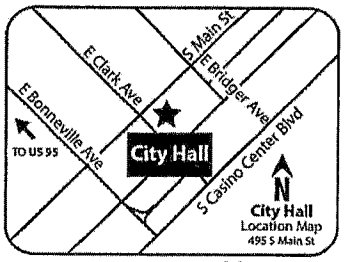

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GPA-75219 and ZON-75220 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

Case: GPA-75219 AND ZON-75220
12530102008
BROADHEAD RANDY E & VIVIAN S
6385 GRAND CANYON DR
LAS VEGAS NV 89149-1302

127 LRDFMP1 89145

17-1BP

City of Las Vegas
Department of Planning
Development Services Center
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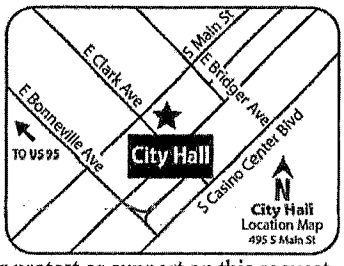

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☒ I OPPOSE this Request

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GPA-75219 and ZON-75220 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

Every variance negatively impacts the overall area. If the plan and zoning needs to be changed do it with a public process to evaluate the overall plan. This application calls for changing the neighborhood from Rural Preservation to residential, eliminating sidewalks and street lights

Case: GPA-75219 AND ZON-75220
12530503002
~~FRANKS PAUL~~
CRANE-FRANKS ILEENE
6275 N PARK ST
LAS VEGAS NV 89149-2376

127 LRDPNP1 89149

17-18P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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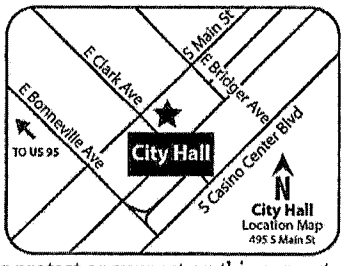

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GPA-75219 and ZON-75220 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

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City of Las Vegas

Case: GPA-75219 AND ZON-75220
12530102004
DI DIO JOHN & ANTONIA J
6335 N GRAND CANYON DR
LAS VEGAS NV 89149-1302

127 LPDFMP1 89145

17-18P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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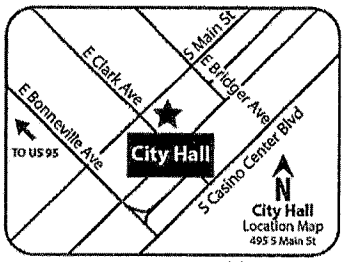

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GPA-75219 and ZON-75220 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

Case: GPA-75219 AND ZON-75220
12530501002
ALLEN ANDY S & CHERYL LYNN
6375 N PARK ST
LAS VEGAS NV 89149

127 LRDFNP1 89149

17-18P

City of Las Vegas
Department of Planning
Development Services Center
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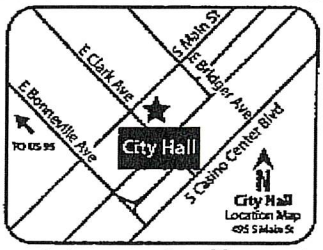

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GPA-75219 and ZON-75220 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

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City of Las Vegas

Case: GPA-75219 AND ZON-75220
12530111001
RUDICIL DARRIN W
6390 GOLDSTRIKE CANYON ST
LAS VEGAS NV 89149

127 LRDFNP1 89149

Submitted after Final Agenda

12-13P

City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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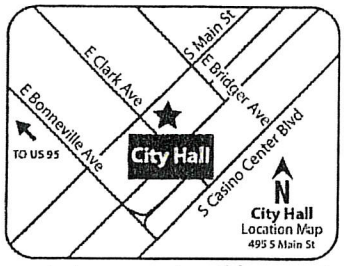

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City of Las Vegas

see attached letter

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GPA-75219 and ZON-75220 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

Case: GPA-75219 AND ZON-75220
12530102006
LUCHINGER LIVING TRUST
LUCHINGER FERDINAND & URSULA CO-
6325 N GRAND CANYON DR
LAS VEGAS NV 89149

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Pg 1 of 2

City of Las Vegas
Department of Planning
Development Services Center
333 N. Rancho Dr., 3rd Floor
Las Vegas, NV 89106

January 14, 2019

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JAN 17 2019
Dept of Planning
City of Las Vegas

Ref GPA-75219 and ZON-75220 (PRJ-75024)
Planning Commission Meeting Jan 22, 2019

This is to file a protest which I want to be noted in your files.

I strongly oppose this request for a re-zoning to R-1 and the request to build 18 homes on this 5 acre parcel. This lot is within our RNP where ½ acre lots dominate. I wish to point out that I strongly support and wish to protect the Interlocal Agreement which is in place in our area and should also be considered by the Planning Commission before voting on this request.

I realize that we should be realistic and that there is a need to work with the developer. I understand that along Centennial Pkwy we could allow for a deviation from the ½ acre per house requirement. It would be appropriate for the developer to come up with a new plan to build 12 or up to a max of 14 homes on this 5 acre parcel. The plan should be to build 4 homes on the 2 acres along/adjoining Regena Ave and 8-10 homes on the remaining 3 acres budding on Centennial Pkwy. Such a revised plan would be more appropriate and fit into the existing neighborhood.

Sincerely,

U. Luchinger

Ursula Luchinger
6325 N. Grand Canyon Dr.
Las Vegas, NV 89149

12.
13
Pg 2 of 2

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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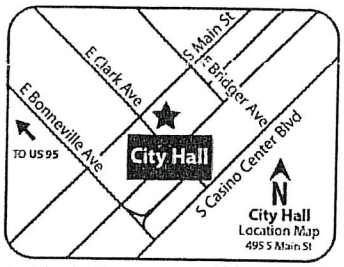

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☒ I OPPOSE this Request

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GPA-75219 and ZON-75220 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

Case: GPA-75219 AND ZON-75220
12530111019
SHAFFER RICHARD P JR & SHARON A
SHAFFER RICHARD P JR & SHARON A
9791 MOSAIC CANYON CT
LAS VEGAS NV 89149

127 LRDFNP1 89149

12P
13P

Nora Lares

From: noreply@formstack.com
Sent: Sunday, January 20, 2019 12:42 PM
To: Planning Comments
Subject: Planning Application Comments Form

Formstack

Formstack Submission For: PlanningApplicationComments2019
Submitted at 01/20/19 12:41 PM

Meeting Date:	Tuesday, January 22, 2019
Project Number:	Gpa-75219
Position:	I OPPOSE the project and all related applications.
Name:	Maryanne Eaton
Residential or Business Address:	6196 BEDFORD FALLS CIR LAS VEGAS, NV 89149-1430

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Formstack, 8604 Allisonville Road, Suite 300, Indianapolis, IN 46250

Submitted after Final Agenda

2-16P

Nora Lares

From: noreply@formstack.com
Sent: Sunday, January 20, 2019 12:42 PM
To: Planning Comments
Subject: Planning Application Comments Form

Formstack

Formstack Submission For: PlanningApplicationComments2019
Submitted at 01/20/19 12:42 PM

Meeting Date:	Tuesday, January 22, 2019
Project Number:	Gpa-75219
Position:	I OPPOSE the project and all related applications.
Name:	Spencer Eaton
Residential or Business Address:	6196 BEDFORD FALLS CIR LAS VEGAS, NV 89149-1430

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12-16P

Nora Lares

From: noreply@formstack.com
Sent: Monday, January 14, 2019 8:28 PM
To: Planning Comments
Subject: Planning Application Comments Form

Formstack

Formstack Submission For: PlanningApplicationComments2019
Submitted at 01/14/19 8:27 PM

Meeting Date:	Tuesday, January 22, 2019
Project Number:	75024
Position:	I OPPOSE the project and all related applications.
Name:	Mark Chaparian
Residential or Business Address:	9780 Arch Canyon Ct Las Vegas, NV 89149
Phone:	(702) 845-8696
Email:	MarkChaparian@Gmail.com
Comments:	I write to you as a citizen, a homeowner, the President of Emerald Springs HOA, a veteran, and a retired police officer of the LVMPD. My family and 24 other homeowners and their families I represent in our HOA are greatly concerned with this project. The majority of homes in our area are situated on 1/2 acres lots or larger. We are zoned "rural residential" with some exceptions of new builds, including our community. We searched long and hard for a community that wasn't urbanized and had a rural feel and atmosphere about it. We thought we found it when we built 2.5 years ago and sunk our life savings into our home and yard. I can tell you from my 30 year law enforcement background, building homes such as the ones described with as high of density as DR Horton is

12-16P
Pg 1 of 2

asking, will lead to deflated property values, higher crime, and a much less satisfying neighborhood and community. We all understand new homes will be built and undeveloped areas will become developed. We ask that you consider what affect this project will have long term on the citizens such as myself and all the others who live in this community.

Please know that each homeowner I've spoken with in my HOA community of Emerald Springs is AGAINST this project and we would appreciate your support to modify it with less homes to meet the existing standard of a minimum of 10,000 square foot lots found in a Clark County/City of Las Vegas agreement years ago or deny the requests for zoning changes, variances, and/or amendments regarding this property altogether.

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Nora Lares

From: noreply@formstack.com
Sent: Thursday, January 17, 2019 8:15 AM
To: Planning Comments
Subject: Planning Application Comments Form

Formstack

Formstack Submission For: PlanningApplicationComments2019
Submitted at 01/17/19 8:14 AM

Meeting Date:	Tuesday, January 22, 2019
Project Number:	PRJ-75024
Position:	I OPPOSE the project and all related applications.
Name:	Danny Buguillos
Residential or Business Address:	9772 Mosaic Canyon Ct Las Vegas, NV 89149
Phone:	(510) 468-2848
Email:	dburguillos@gmail.com
Comments:	Developer should not be allowed the variance or should be allowed to change existing Plan and/or zoning. Amending plan to RNP to L and rezoning to R-E to R-1. Most if not all homes in the area remain a RNP and R-E. Developer would not be building lots and home sizes that match the existing homes, and is only trying to increase density for revenue. In my opinion would damage the spirit of the original zoning and existing home values.

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12-16P

Nora Lares

From: noreply@formstack.com
Sent: Thursday, January 17, 2019 8:16 AM
To: Planning Comments
Subject: Planning Application Comments Form

Formstack

Formstack Submission For: PlanningApplicationComments2019
Submitted at 01/17/19 8:16 AM

Meeting Date:	Tuesday, January 22, 2019
Project Number:	PRJ-75024
Position:	I OPPOSE the project and all related applications.
Name:	Karen Burguillos
Residential or Business Address:	9772 Mosaic Canyon Ct Las Vegas, NV 89149
Phone:	(702) 858-8615
Email:	kaybee519@gmail.com
Comments:	Developer should not be allowed the variance and should not be allowed to change existing Plan and/or zoning. Amending plan to RNP to L and rezoning to R-E to R-1. Most if not all homes in the area remain a RNP and R-E. Developer would not be building lots and home sizes that match the existing homes, and is only trying to increase density for revenue. In my opinion would damage the spirit of the original zoning and existing home values.

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12-16P

Nora Lares

From: noreply@formstack.com
Sent: Tuesday, January 22, 2019 11:30 AM
To: Planning Comments
Subject: Planning Application Comments Form

Formstack

Formstack Submission For: PlanningApplicationComments2019
Submitted at 01/22/19 11:30 AM

Meeting Date:	Tuesday, January 22, 2019
Project Number:	PRJ-75024
Position:	I support the project but OPPOSE a related application.
Planning Application Number(s):	GPA-75219, ZON-75220
Name:	Greg Rustad
Residential or Business Address:	6208 Magnifico Circle Las Vegas, NV 89149
Phone:	(702) 228-1422
Email:	lykkroc@gmail.com
Comments:	While we do not oppose residential development by DR Horton on this 5-acre parcel, we do oppose the request for Rezoning which would allow a higher density as well as the General Plan Amendment which seeks to revise the building guidelines from the Rural Neighborhood Preservation which currently exists in the area to Low Density Residential. We purchased in this area specifically because the larger lots and rural "feel". The proposed revisions for the lot adjacent our

Submitted after Final Agenda

12A
13A
Pg 1 of 2

subdivision would be diminish the desirability of this area.
Thank you for your consideration.

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12.
13.
Pg 2 of 2

MAR 2 5 2019

Dept of Planning
City of Las Vegas

March 20, 2019

City of Las Vegas
Department of Planning
Development Services Center
333 N Rancho Drive, 3rd Floor
Las Vegas, NV 89106

Ref GPA-75219 and ZON-75220 (PRJ-75024)
Planning Commission Meeting Jan 22, 2019

This is to file a protest which I want to be noted in your files.

I strongly oppose this request for a rezoning to R-1 and the request to build 18 homes on this 5-acre parcel. This lot is within our RNP where ½ acre lots dominate. I wish to point out that I strongly support and wish to protect the Interlocal Agreement which is in place in our area and should also be considered by the Planning Commission before voting on this request.

I realize that we should be realistic and that there is a need to work with the developer. I understand that along Centennial Parkway we could allow for a deviation from the ½ acre per house requirement. It would be appropriate for the developer to come up with a new plan to build 12 or up to a max of 14 homes on this 5 acre parcel. The plan should be to build 4 homes on the 2 acres along/adjoining Regena Ave and 8 - 10 homes on the remaining 3 acres budding on Centennial Parkway. Such a revised plan would be more appropriate and fit into the existing neighborhood.

Cordially,

Melinda Barfield

Melinda Barfield
6320 N Jensen Street
Las Vegas, NV 89149

Submitted after final agenda

Date 3/26/19 Item

11 P
12 P

Nora Lares

From: noreply@formstack.com
Sent: Tuesday, March 26, 2019 6:27 AM
To: Planning Comments
Subject: Planning Application Comments Form

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MAR 2 5 2019
Dept of Planning
City of Las Vegas

EXTERNAL EMAIL

formstack

Formstack Submission For: PlanningApplicationComments2019
Submitted at 03/26/19 6:26 AM

Meeting Date:	Tuesday, March 26, 2019
Project Number:	RE1 PRJ-75024
Position:	I OPPOSE the project and all related applications.
Name:	Antonia Di Dio
Residential or Business Address:	6335 N. Grand Canyon Dr. Las Vegas, NV 89149
Email:	msglobin74@gmail.com
Comments:	I oppose the zoning request to RE1 based on the fact that DR Horton is planning to build 16 homes on a 5 acre parcel which is in the RNP area where most homes are on a 1/2 acre lot. The developed parcel right next to this proposal along Regena/Jensen to Centennial are Lennar built homes of 25 homes on a 10 acre property. That would compare to an equivalent of 12-13 homes for a 5 acre lot. The lot sizes of many of the proposed plans are as low as 6500 sq. ft. which is extremely short of the requirement of the minimum 10,000 sq. ft. listed in the Interlocal Agreement. We just had our 3rd meeting with the DR Horton representative and they made no changes whatsoever to the plan since the 2nd

Submitted after final agenda
Date 3/26/19 Item 11-15P
pg 1 of 2

meeting, even though the neighbors voiced their opposition. Please consider to deny the approval for the proposed plan.

The main reason we moved to this area was because it is an RNP area. If that is what it is considered, then why does DR Horton have the right to change it? Please keep this neighborhood as it is supposed to be, a rural neighborhood preservation area. Thank you.

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MAR 25 2019
Dept of Planning
City of Las Vegas

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11-15
pg 2 of 2

Nora Lares

From: noreply@formstack.com
Sent: Monday, March 25, 2019 8:10 PM
To: Planning Comments
Subject: Planning Application Comments Form

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MAR 2 5 2019
Dept of Planning
City of Las Vegas
Dept of Planning
City of Las Vegas

EXTERNAL EMAIL

formstack

Formstack Submission For: PlanningApplicationComments2019
Submitted at 03/25/19 8:10 PM

Meeting Date:	Tuesday, March 26, 2019
Project Number:	PRJ-75024
Position:	I OPPOSE the project and all related applications.
Name:	URSULA LUCHINGER
Residential or Business Address:	6325 N. GRAND CANYON DR Las Vegas, NV 89149
Phone:	(702) 360-0587
Email:	aahursula@yahoo.com
Comments:	I oppose the zoning request to RE1 based on the fact that DR HORTON is planning to build 16 homes on a 5 acre parcel which is in the RNP area where most homes are on a 1/2 acre lot. The developed parcel right next to this proposal along Regena/Jensen to Centennial are Lennar built homes of 25 homes on a 10 acre property. That would compare to an equivalent of 12 to 13 homes for a 5 acre lot. The lot sizes of many of the proposed plan are as low at 6500 square feet which is extremely short of the requirement of min 10,000 sq ft listed in the

11-15 P
pg 1 of 2

Interlocal agreement. We just had our 3rd meeting with the DR HORTON rep and they had made no changes whatsoever to the plan since the 2nd meeting even though the neighbors voiced their opposition.
Please consider to deny the approval for the proposed plan.
Thank you

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MAR 25 2019
Dept of Planning
City of Las Vegas

11-15
pg 2 of 2

4/23/19

City of Las Vegas

Department of Planning

Development Services Center

333 N. Rancho Dr., 3rd Floor

Las Vegas, NV 89106

Ref: GPA-75219 and ZON-75220 (PRJ-75024)

Planning Commission Meeting - April 23, 2019

This is to file a PROTEST which I want to be noted in your files.

As a 37 year resident of Las Vegas and the RNP (Rural Neighborhood Preservation), I strongly oppose this request by Dr. Horton for a rezoning to R-1 on the 5.0 acres located at the southwest corner of Centennial Parkway and Jensen Street (APN 125-30-101-006). The Developer Dr. Horton **should not** be allowed the variance or be allowed to change existing zoning from RE to R-1 within the RNP.

However, I am not opposed to granting the Developer a Vacation relating to the U.S. Government Patent Easements.

Sincerely,

James P. Padgett

8690 W. Fisher Avenue

Las Vegas, NV 89149

S1 P
S2 P

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
86

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

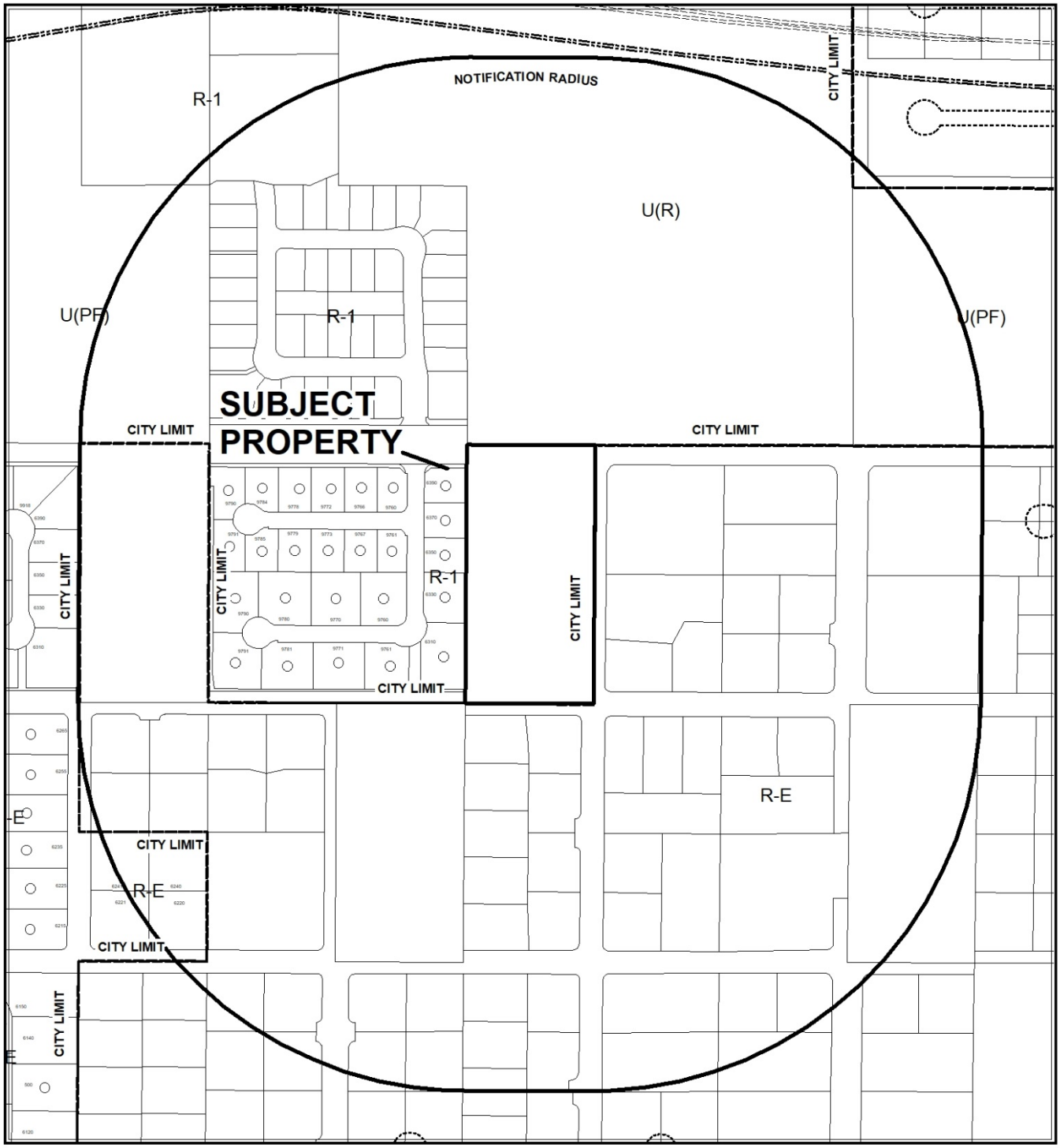
SUBJECT:
ZON-75220 - ABEYANCE ITEM - REZONING RELATED TO GPA-75219 - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST - For possible action on a request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL) on 5.00 acres at the southwest corner of Centennial Parkway and Jensen Street (APN 125-30-101-006), Ward 6 (Fiore) [PRJ-75024]. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	8	Planning Commission Mtg.	0
City Council Meeting	2	City Council Meeting	0

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Location and Aerial Maps - ZON-75220, VAR-75221 and TMP-75223 [PRJ-75024]
3. Supporting Documentation
4. Protest Postcards
5. Backup Submitted from the May 1, 2019 City Council Meeting

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.



CASE: **ZON-75220, VAR-75221 AND TMP-75223 (PRJ-75024)**

0 295 590 Feet

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

N



CASE: **ZON-75220, VAR-75221 AND TMP-75223 (PRJ-75024)**

0 295 590 Feet

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

N

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: _____ APN: 125-30-101-006

Name of Property Owner: Aleksandra Barbier Living Trust

Name of Applicant: D.R. Horton

Name of Representative: GCW, Inc. / Angie Scott / ascott@gcwengineering.com

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Robert J. Barbier SUCCESSOR TRUSTEE

Print Name: ROBERT J. BARBIER SUCCESSOR TRUSTEE

Subscribed and sworn before me

This 8 day of October, 2018

Brooke Davis

Notary Public in and for said County and State

BROOKE DAVIS
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 17-3408-1
My Appt. Expires Aug. 23, 2021

Revised 03/28/16

PRJ-75024
12/03/18

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: GPA, ZON, VAR, VAC, TMP

Project Address (Location) Centennial Parkway and Jensen Street

Project Name Centennial Jenson 5 **Proposed Use** S.F. Residential

Assessor's Parcel #(s) 125-30-101-006 **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing _____ proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres 5.0 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Barbier Living Trust **Contact** ROBERT J. BARBIER

Address 1211 SHEFFIELD WAY **Phone:** (916) 773-1365

City ROSEVILLE **State** CA **Zip** 95661-5539

E-mail Address BBCUSTOMPOOLSPA@YAHOO.COM

APPLICANT D.R. Horton, Inc. **Contact** Michael Cuddy

Address 1081 Whitney Ranch Drive #141 **Phone:** (702) 635-3600 **Fax:** (682) 703-3338

City Henderson **State** NV **Zip** 89014

E-mail Address mpcuddy@drhorton.com

REPRESENTATIVE GCW, Inc. **Contact** Angie Scott

Address 1555 S. Rainbow Boulevard **Phone:** (702) 804-2126 **Fax:** (702) 804-2126

City Las Vegas **State** NV **Zip** 89146

E-mail Address ascott@gcwengineering.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* Robert J. Barbier

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name ROBERT J. BARBIER SUCCESSOR TRUSTEE

Subscribed and sworn before me

This 8 day of October, 20 18.

Brooke Davis

Notary Public in and for said County and State

BROOKE DAVIS
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 17-3408-1
My Appt. Expires Aug. 23, 2021

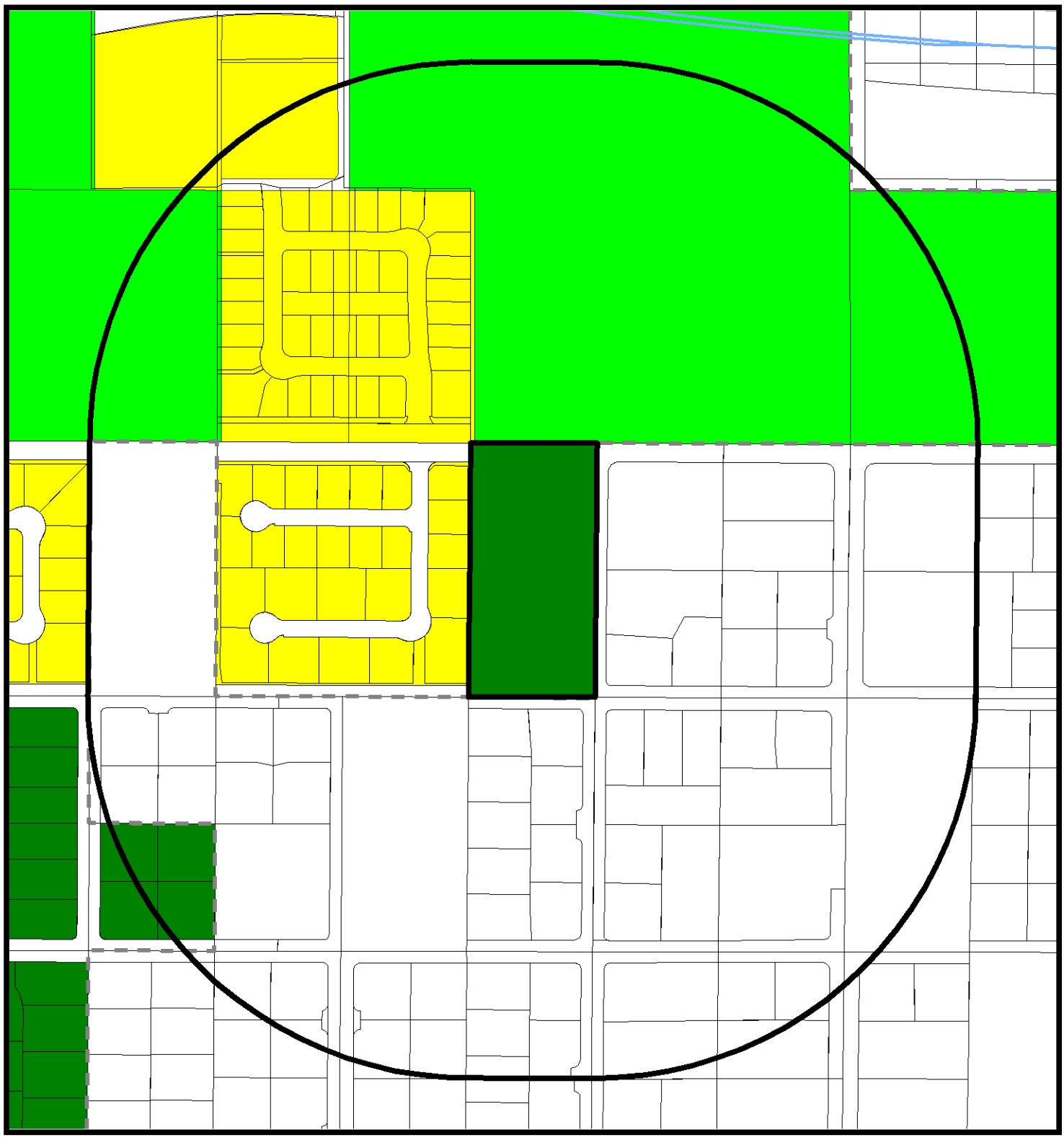
FOR DEPARTMENT USE ONLY
Case #
Meeting Date:
Total Fee:
Date Received:*
Received By:

*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for conformity with applicable sections of the Zoning Ordinance.

PRJ-75024
12/03/18

Revised 03/28/16

ZON-75220



Zoning

- U - (GPA Designation) Undeveloped
- R-A - Ranch Acres
- R-E - Residential Estates
- R-D - Single-Family Residential-Restricted
- R-PD - Residential Planned Development
- R-1 - Single Family Residential
- R-CL - Single-Family Compact-Lot
- R-TH - Single Family Attached
- R-2 - Medium-Low Density Residential
- R-3 - Medium Density Residential
- R-4 - High Density Residential
- R-5 - Apartment
- R-MH - Mobile/Manufactured Home Residence
- R-MHP - Residential Mobile/ Manufactured Home Park
- P-R - Professional Offices and Parking
- P-O - Professional Office
- N-S - Neighborhood Service
- O - Office
- C-D - Designed Commercial
- C-1 - Limited Commercial
- C-2 - General Commercial
- C-PB - Planned Business Park
- C-M - Commercial/Industrial
- M - Industrial
- C-V - Civic
- P-C - Planned Community
- T-D - Traditional Development
- PD - Planned Development
- T-C - Town Center

FROM R-E TO R-1

- Subject Property
- 1000ft Buffer
- City Limits

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Thursday, December 06, 2018

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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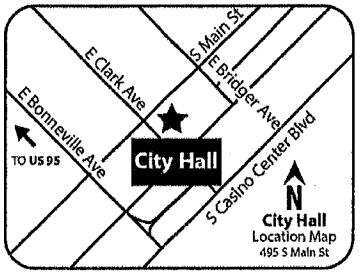
Official Notice of Public Hearing

2019 MAY 13 P 12: 36



PRJ-75024_1
12530503002
FRANKS PAUL
CRANE-FRANKS ILEENE
6275 N PARK ST
LAS VEGAS NV 89149-2376

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ZON-75220 [PRJ-75024]

City Council Meeting of **May 1, 2019**

127 BRDGNP1 89149

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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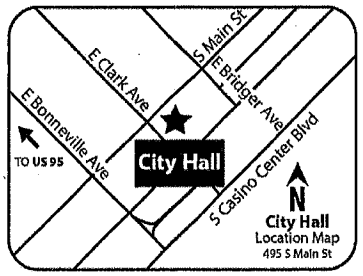
2019 MAY -1 P 12: 37



PRJ-75024_1
12530102011
SELAK L L C
4904 RANCHO BERNARDO WAY
LAS VEGAS NV 89130

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ZON-75220 [PRJ-75024]

City Council Meeting of **May 1, 2019**

127 BRDGNP1 89130

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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2019 APR 25 A 11:52

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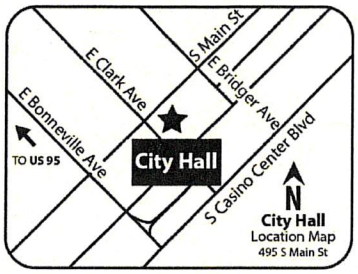
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ZON-75220 [PRJ-75024]
City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530102006
LUCHINGER LIVING TRUST
LUCHINGER FERDINAND & URSULA CO-
6325 N GRAND CANYON DR
LAS VEGAS NV 89149

127 BRDCNP1 89149

Submitted after final agenda
Item 12

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Permit No. 1630

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2019 APR 23 A 11:15

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ZON-75220 [PRJ-75024]
City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530102008
BROADHEAD RANDY E & VIVIAN S
6385 GRAND CANYON DR
LAS VEGAS NV 89149-1302

127 BRDCMP1 89149

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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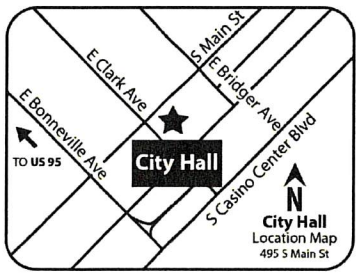
2019 APR 23 A 11:15

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ZON-75220 [PRJ-75024]
City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530102009
BROADHEAD IRREVOCABLE TRUST
BROADHEAD RANDY E TRS
6385 GRAND CANYON DR
LAS VEGAS NV 89149-1302

127 BRDCMP1 89149

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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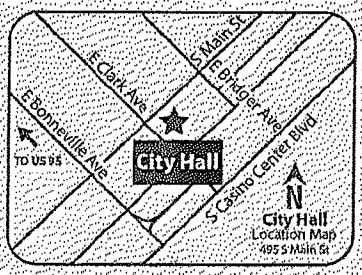

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ZON-75220 [PRJ-75024]
City Council Meeting of **May 1, 2019**

PRJ-75024 1
12530210004
EATON BRIAN SPENCER & MARYANNE
6196 BEDFORD FALLS CIR
LAS VEGAS NV 89149-1430

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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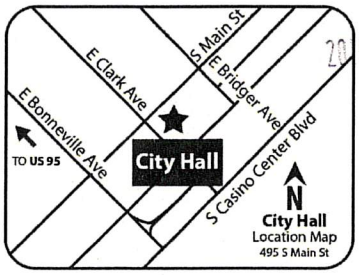

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ZON-75220 [PRJ-75024]
City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530111002
SCHOUTEN 1983 TRUST
SCHOUTEN MARILYN LEE & ALBERT TR
6370 GOLDSTRIKE CANYON ST
LAS VEGAS NV 89149

127 BRDGNP1 89149

Submitted after final agenda
Item 72

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Official Notice of Public Hearing

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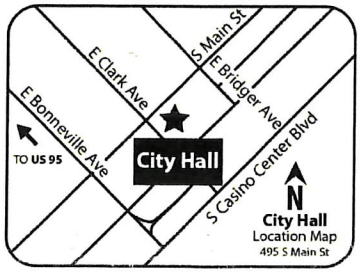
CITY CLERK
2019 APR 29 P 3:09



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ZON-75220 [PRJ-75024]
City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530111011
CHAPARIAN MARK
ROBERTS-CHAPARIAN LORA
9780 ARCH CANYON CT
LAS VEGAS NV 89149

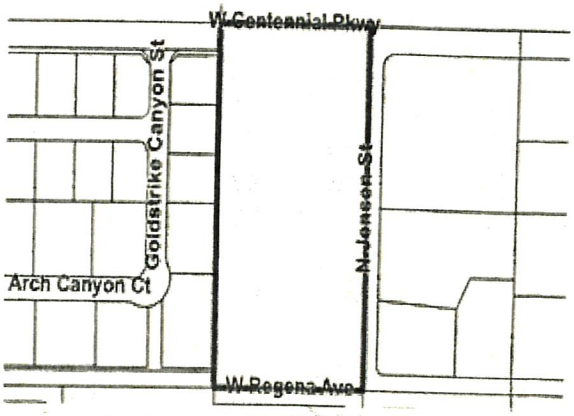
127 BRDGNP1 89149

Application Information

ZON-75220 - REZONING RELATED TO GPA-75219 - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST - For possible action on a request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL) on 5.00 acres at the southwest corner of Centennial Parkway and Jensen Street (APN 125-30-101-006), Ward 6 (Fiore) [PRJ-75024]. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

Zoning is worthless unless we follow it.

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	May 1, 2019
Location:	City Council Chambers 495 South Main St, 2nd Fl. Las Vegas, Nevada
Not to be heard before:	11:00 A.M.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 2nd Floor, City Hall, 495 South Main Street, Las Vegas, Nevada, 89101. For further information, go to www.lasvegasnevada.gov or call (702) 229-6311 (TTY 7-1-1). **Note that postcards and comments received after an agenda posts will not be reflected online until after the meeting; however, the comments are made available to the members of the governing body for their consideration prior to the meeting.**

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
87

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
VAR-75221 - ABEYANCE ITEM - VARIANCE RELATED TO GPA-75219 AND ZON-75220 - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST - For possible action on a request for a Variance TO ALLOW A 43-FOOT WIDE PRIVATE STREET WITHOUT A GATE, SIDEWALK ON ONE SIDE WHERE A 47-FOOT WIDE STREET WITH SIDEWALK ON BOTH SIDES IS REQUIRED, AND A CONNECTIVITY RATIO OF 1.0 WHERE 1.30 IS REQUIRED on 5.00 acres at the southwest corner of Centennial Parkway and Jensen Street (APN 125-30-101-006), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 6 (Fiore) [PRJ-75024]. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	9	Planning Commission Mtg.	0
City Council Meeting	2	City Council Meeting	0

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation
3. Protest Postcards
4. Backup Submitted from the May 1, 2019 City Council Meeting
5. Backup Submitted at the March 26, 2019 Planning Commission Meeting

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: _____ APN: 125-30-101-006

Name of Property Owner: Aleksandra Barbier Living Trust

Name of Applicant: D.R. Horton

Name of Representative: GCW, Inc. / Angie Scott / ascott@gcwengineering.com

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Robert J. Barbier SUCCESSOR TRUSTEE

Print Name: ROBERT J. BARBIER SUCCESSOR TRUSTEE

Subscribed and sworn before me

This 8 day of October, 2018

Brooke Davis

Notary Public in and for said County and State

BROOKE DAVIS
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 17-3408-1
My Appt. Expires Aug. 23, 2021

Revised 03/28/16

PRJ-75024
12/03/18

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: GPA, ZON, VAR, VAC, TMP

Project Address (Location) Centennial Parkway and Jensen Street

Project Name Centennial Jenson 5 **Proposed Use** S.F. Residential

Assessor's Parcel #(s) 125-30-101-006 **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing _____ proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres 5.0 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Barbier Living Trust **Contact** ROBERT J. BARBIER

Address 1211 SHEFFIELD WAY **Phone:** (916) 773-1365

City ROSEVILLE **State** CA **Zip** 95661-5539

E-mail Address BBCUSTOMPOOLSPA@YAHOO.COM

APPLICANT D.R. Horton, Inc. **Contact** Michael Cuddy

Address 1081 Whitney Ranch Drive #141 **Phone:** (702) 635-3600 **Fax:** (682) 703-3338

City Henderson **State** NV **Zip** 89014

E-mail Address mpcuddy@drhorton.com

REPRESENTATIVE GCW, Inc. **Contact** Angie Scott

Address 1555 S. Rainbow Boulevard **Phone:** (702) 804-2126 **Fax:** (702) 804-2126

City Las Vegas **State** NV **Zip** 89146

E-mail Address ascott@gcwengineering.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* Robert J. Barbier

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name ROBERT J. BARBIER SUCCESSOR TRUSTEE

Subscribed and sworn before me

This 8 day of October, 20 18.

Brooke Davis

Notary Public in and for said County and State

BROOKE DAVIS
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 17-3408-1
My Appt. Expires Aug. 23, 2021

FOR DEPARTMENT USE ONLY
Case #
Meeting Date:
Total Fee:
Date Received:*
Received By:

*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for conformance with applicable sections of the Zoning Ordinance.

PRJ-75024
12/03/18

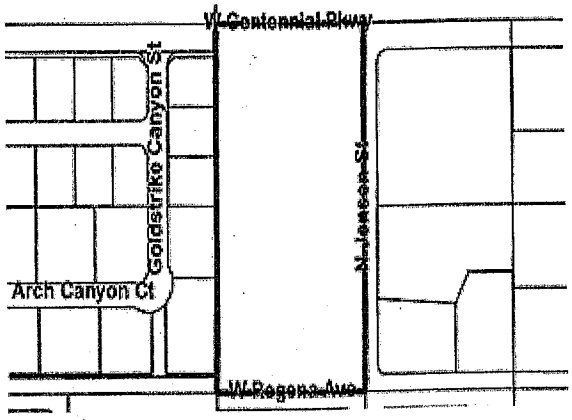
Revised 03/28/16

Application Information

VAR-75221 - VARIANCE RELATED TO GPA-75219 AND ZON-75220 - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST - For possible action on a request for a Variance TO ALLOW A 43-FOOT WIDE PRIVATE STREET WITHOUT A GATE, SIDEWALK ON ONE SIDE WHERE A 47-FOOT WIDE STREET WITH SIDEWALK ON BOTH SIDES IS REQUIRED, AND A CONNECTIVITY RATIO OF 1.0 WHERE 1.30 IS REQUIRED on 5.00 acres at the southwest corner of Centennial Parkway and Jensen Street (APN 125-30-101-006), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 6 (Fiore) [PRJ-75024]. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

Variances to existing adopted regulations defeat the public process in which the public has already engaged in when the current zoning was adopted to implent planning for the future. No increase in allowed density = no need for variance

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	May 1, 2019
Location:	City Council Chambers 495 South Main St, 2nd Fl. Las Vegas, Nevada
Not to be heard before:	11:00 A.M.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 2nd Floor, City Hall, 495 South Main Street, Las Vegas, Nevada, 89101. For further information, go to www.lasvegasnevada.gov or call (702) 229-6311 (TTY 7-1-1). **Note that postcards and comments received after an agenda posts will not be reflected online until after the meeting; however, the comments are made available to the members of the governing body for their consideration prior to the meeting.**

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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2019 MAY 13 P 12:35

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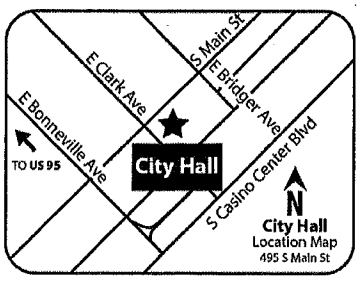

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75221 [PRJ-75024]
City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530503002
FRANKS PAUL
CRANE-FRANKS ILEENE
6275 N PARK ST
LAS VEGAS NV 89149-2376

City of Las Vegas
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495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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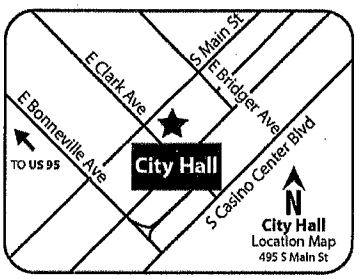

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75221 [PRJ-75024]
City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530102011
SELAK L L C
4904 RANCHO BERNARDO WAY
LAS VEGAS NV 89130

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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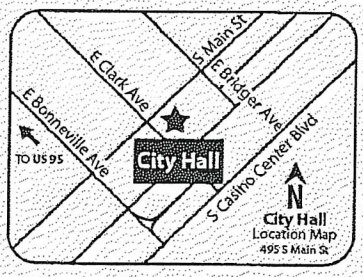
Official Notice of Public Hearing



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VAR-75221 [PRJ-75024]

City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530210004
EATON BRIAN SPENCER & MARYANNE
6196 BEDFORD FALLS CIR
LAS VEGAS NV 89149-1430

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2019 APR 24 P 5:28
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127 BRDGNP1 89149

Submitted after final agenda

Item 73

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Permit No. 1630

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2019 APR 23 A 11:15

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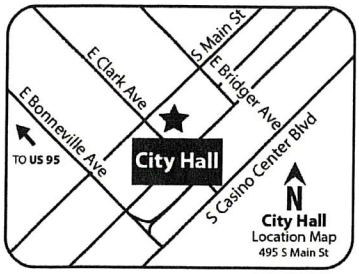
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-75221 [PRJ-75024]
City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530102008
BROADHEAD RANDY E & VIVIAN S
6385 GRAND CANYON DR
LAS VEGAS NV 89149-1302

127 BRDGNP1 89149

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Las Vegas, NV
Permit No. 1630

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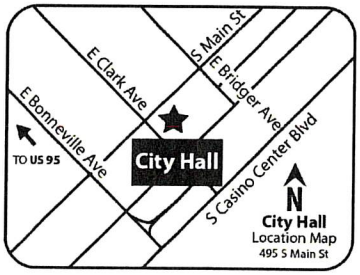
Return Service Requested
Official Notice of Public Hearing



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Please use available blank space on card for your comments.

VAR-75221 [PRJ-75024]
City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530102009
BROADHEAD IRREVOCABLE TRUST
BROADHEAD RANDY E TRS
6385 GRAND CANYON DR
LAS VEGAS NV 89149-1302

127 BRDGNP1 89149

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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2019 APR 29 P 3:09

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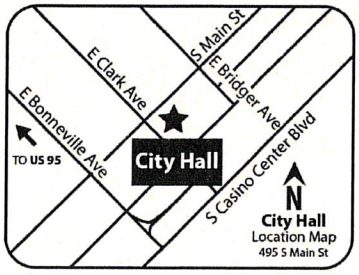
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75221 [PRJ-75024]
City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530111002
SCHOUTEN 1983 TRUST
SCHOUTEN MARILYN LEE & ALBERT TR
6370 GOLDSTRIKE CANYON ST
LAS VEGAS NV 89149

127 BRDGNP1 89149

Submitted after final agenda

Item 73

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Las Vegas, NV
Permit No. 1630

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Official Notice of Public Hearing

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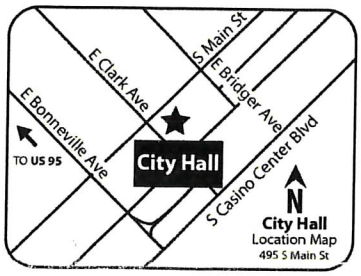
2019 APR 29 P 3:09



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75221 [PRJ-75024]
City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530111011
CHAPARIAN MARK
ROBERTS-CHAPARIAN LORA
9780 ARCH CANYON CT
LAS VEGAS NV 89149

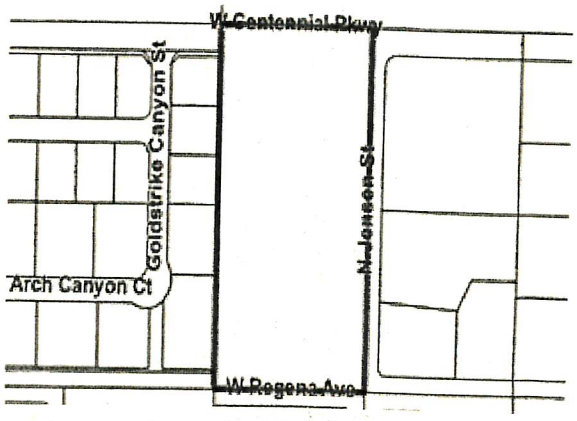
127 89149

Application Information

VAR-75221 - VARIANCE RELATED TO GPA-75219 AND ZON-75220 - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST - For possible action on a request for a Variance TO ALLOW A 43-FOOT WIDE PRIVATE STREET WITHOUT A GATE, SIDEWALK ON ONE SIDE WHERE A 47-FOOT WIDE STREET WITH SIDEWALK ON BOTH SIDES IS REQUIRED, AND A CONNECTIVITY RATIO OF 1.0 WHERE 1.30 IS REQUIRED on 5.00 acres at the southwest corner of Centennial Parkway and Jensen Street (APN 125-30-101-006), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 6 (Fiore) [PRJ-75024]. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

The frontage of this project does not match the same to the North or West. Curb, sidewalk, green belt, wall is missing a green belt from curb to sidewalk

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	May 1, 2019
Location:	City Council Chambers 495 South Main St, 2nd Fl. Las Vegas, Nevada
Not to be heard before:	11:00 A.M.

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NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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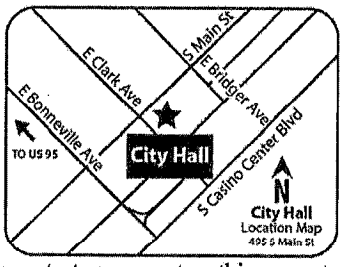
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

Return Service Requested
Official Notice of Public Hearing



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Dept of Planning
City of Las Vegas

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or submit your comments online at https://cityoflasvegas.formstack.com/forms/plan_app_comments_2018
If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.
VAR-75221 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

12530102009 Case: VAR-75221
BROADHEAD IRREVOCABLE TRUST
BROADHEAD RANDY E TRS
6385 GRAND CANYON DR
LAS VEGAS NV 89149-1302

127 LRDFMP1 89149

19P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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U.S. Postage
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Las Vegas, NV
Permit No. 1630

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Official Notice of Public Hearing

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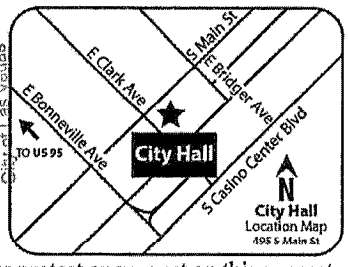
Dept of Planning
City of Las Vegas



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or submit your comments online at https://cityoflasvegas.formstack.com/forms/plan_app_comments_2018
If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.
VAR-75221 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

I think you have allowed developers to encroach on the guidelines established for the RNC enough. No more breaking the guidelines. Please choose not to support the money and support those of us who have purchased properties with large amounts of land for a reason. The low density housing areas near us are the pockets of crime and where muggings and attacks occur. We worked long & hard to get some space around us. Please stop destroying our RNC.

Case: VAR-75221
12530102008
BROADHEAD RANDY E & VIVIAN S
6385 GRAND CANYON DR
LAS VEGAS NV 89149-1302

127 LRDFNP1 89149

19P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

With the changes proposed the neighborhood is not preserved and with sidewalk, access, and streetlight requirements modified it does not even meet LDR standards This is a zoning mess and it is because existing planning is being ignored.

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Permit No. 1630

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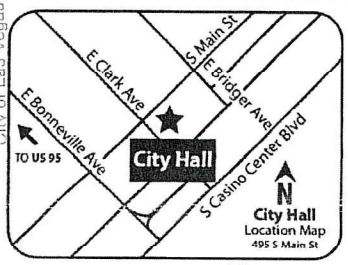
Dept of Planning
City of Las Vegas



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If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75221 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

Case: VAR-75221

12530503002
FRANKS PAUL
CRANE-FRANKS ILEENE
6275 N PARK ST
LAS VEGAS NV 89149-2376

-3-

127 LRDFNP1 89149

19P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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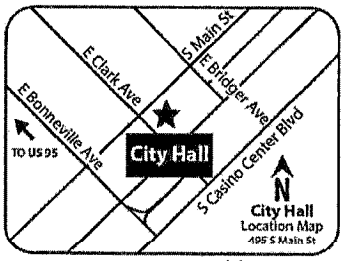
PAID
Las Vegas, NV
Permit No. 1630

Return Service Requested
Official Notice of Public Hearing



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JAN 22
Dept of Planning
City of Las Vegas

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or submit your comments online at https://cityoflasvegas.formstack.com/forms/plan_app_comments_2018
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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75221 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

Case: VAR-75221
12530102004
DI DIO JOHN & ANTONIA J
6335 N GRAND CANYON DR
LAS VEGAS NV 89149-1302

127 LRDPNP1 89149

19p

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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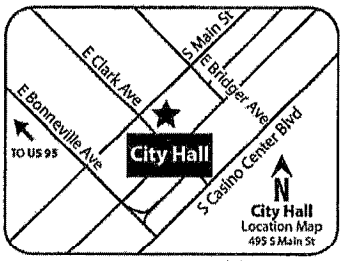
PAID
Las Vegas, NV
Permit No. 1630

Return Service Requested
Official Notice of Public Hearing



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JAN 23 2019
Dept of Planning
City of Las Vegas

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If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
VAR-75221 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

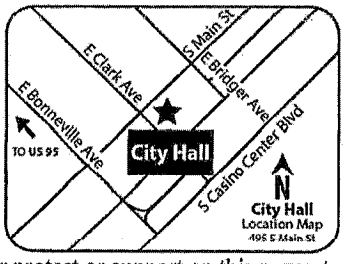
Case: VAR-75221
12530501002
ALLEN ANDY S & CHERYL LYNN
6375 N PARK ST
LAS VEGAS NV 89149

19P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

Return Service Requested
Official Notice of Public Hearing



RECEIVED
JAN 22 2019
Dept of Planning
City of Las Vegas

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
VAR-75221 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

Case: VAR-75221
12530111019
SHAFFER RICHARD P JR & SHARON A
SHAFFER RICHARD P JR & SHARON A
9791 MOSAIC CANYON CT
LAS VEGAS NV 89149

127 LRDFNP1 89149

19p

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
VAR-75221 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

RECEIVED
JAN 2 2 2018
Dept of Planning
City of Las Vegas

Case: VAR-75221
12530111001
RUDICIL DARRIN W
6390 GOLDSTRIKE CANYON ST
LAS VEGAS NV 89149

12P LRDFNP1 89149

Submitted after Final Agenda
14P

PAGE. 1/ 1
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Jan.16.2019 10:08 AM

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

01/16/19

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Las Vegas, NV
Permit No. 1830

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City of Las Vegas

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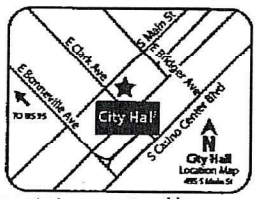

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If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request Rae Kelly

Please use available blank space on card for your comments.

VAR-75221 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

Case: VAR-75221
12530101044
KELLY FAMILY TRUST
KELLY RAE F & JANE E TRS
6215 N GRAND CANYON DR
LAS VEGAS NV 89149-1362

127 LRDFNP1 89149

14P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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U.S. Postage
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Las Vegas, NV
Permit No. 1630

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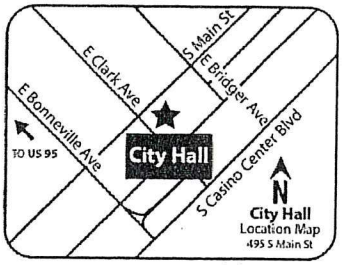
Official Notice of Public Hearing



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If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
VAR-75221 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

RECEIVED
JAN 17 2019
Dept of Planning
City of Las Vegas

Case: VAR-75221
12530102006
LUCHINGER LIVING TRUST
LUCHINGER FERDINAND & URSULA CO-
6325 N GRAND CANYON DR
LAS VEGAS NV 89149

127 LRDFNP1 89149

14P

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
88

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

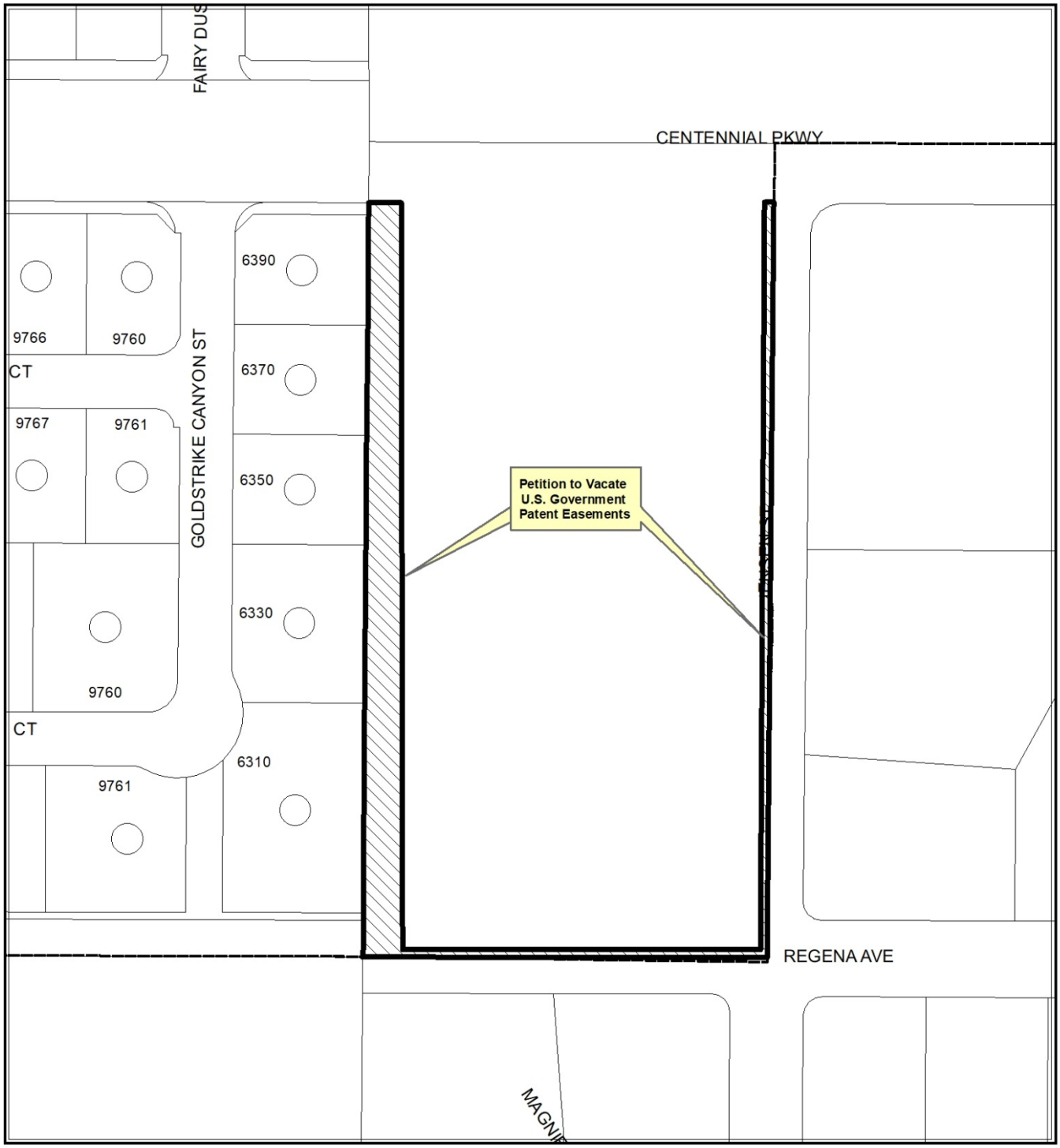
SUBJECT:
VAC-75222 - ABEYANCE ITEM - VACATION RELATED TO GPA-75219, ZON-75220 AND VAR-75221 - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST - For possible action on a request for a Petition to Vacate U.S. Government Patent Easements generally located at the southwest corner of Centennial Parkway and Jensen Street (APN 125-30-101-006), Ward 6 (Fiore) [PRJ-75024]. The Planning Commission (6-0 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	1	Planning Commission Mtg.	0
City Council Meeting	1	City Council Meeting	0

RECOMMENDATION:
The Planning Commission (6-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Location and Aerial Maps
3. Supporting Documentation
4. Protest Postcard
5. Backup Submitted from the May 1, 2019 City Council Meeting
6. Backup Submitted at the March 26, 2019 Planning Commission Meeting

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.



CASE: VAC-75222 (PRJ-75024)



CASE: VAC-75222 (PRJ-75024)

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N

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: _____ APN: 125-30-101-006

Name of Property Owner: Aleksandra Barbier Living Trust

Name of Applicant: D.R. Horton

Name of Representative: GCW, Inc. / Angie Scott / ascott@gcwengineering.com

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Robert J. Barbier SUCCESSOR TRUSTEE

Print Name: ROBERT J. BARBIER SUCCESSOR TRUSTEE

Subscribed and sworn before me

This 8 day of October, 2018

Brooke Davis

Notary Public in and for said County and State

BROOKE DAVIS
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 17-3408-1
My Appt. Expires Aug. 23, 2021

Revised 03/28/16

PRJ-75024
12/03/18

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: GPA, ZON, VAR, VAC, TMP

Project Address (Location) Centennial Parkway and Jensen Street

Project Name Centennial Jenson 5 **Proposed Use** S.F. Residential

Assessor's Parcel #(s) 125-30-101-006 **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing _____ proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres 5.0 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Barbier Living Trust **Contact** ROBERT J. BARBIER

Address 1211 SHEFFIELD WAY **Phone:** (916) 773-1365

City ROSEVILLE **State** CA **Zip** 95661-5539

E-mail Address BBCUSTOMPOOLSPA@YAHOO.COM

APPLICANT D.R. Horton, Inc. **Contact** Michael Cuddy

Address 1081 Whitney Ranch Drive #141 **Phone:** (702) 635-3600 **Fax:** (682) 703-3338

City Henderson **State** NV **Zip** 89014

E-mail Address mpcuddy@drhorton.com

REPRESENTATIVE GCW, Inc. **Contact** Angie Scott

Address 1555 S. Rainbow Boulevard **Phone:** (702) 804-2126 **Fax:** (702) 804-2126

City Las Vegas **State** NV **Zip** 89146

E-mail Address ascott@gcwengineering.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* Robert J. Barbier

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name ROBERT J. BARBIER SUCCESSOR TRUSTEE

Subscribed and sworn before me

This 8 day of October, 20 18.

Brooke Davis

Notary Public in and for said County and State

BROOKE DAVIS
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 17-3408-1
My Appt. Expires Aug. 23, 2021

FOR DEPARTMENT USE ONLY
Case #
Meeting Date:
Total Fee:
Date Received:*
Received By:

*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for conformance with applicable sections of the Zoning Ordinance.

PRJ-75024
12/03/18

Revised 03/28/16

STATE OF NEVADA
DECLARATION OF VALUE

20031202
.01940

1. Assessor Parcel Number(s)
   a) 125-30-101-006
   b)
   c)
   d)
2. Type of Property:
   a) [ ] Vacant Land b) [X] Single Fam. Res.
   c) [ ] Condo/Twnhse d) [ ] 2-4 Plex
   e) [ ] Apt. Bldg f) [ ] Comm'l/Ind'l
   g) [ ] Agricultural h) [ ] Mobile Home
   [ ] Other

FOR RECORDERS OPTIONAL USE ONLY
Document/Instrument #: 2
Book _____ Page: _____
Date of Recording: _____
Notes:

3. Total Value/Sales Price of Property $ _____
   Deed in Lieu of Foreclosure Only (value of property) (_____)
   Transfer Tax Value: $ _____
   Real Property Transfer Tax Due $ 0

4. If Exemption Claimed:
   a. Transfer Tax Exemption per NRS 375.090, Section 3 950825/01254
   b. Explain Reason for Exemption: to transfer without consideration to a family trust
   rerecord to correct date of the Aleksandra Barbier living trust.
5. Partial Interest: Percentage being transferred: 100 %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS.375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature Jeffrey Burr Capacity Attorney
Signature _____ Capacity _____

SELLER (GRANTOR) INFORMATION (REQUIRED)		BUYER (GRANTEE) INFORMATION (REQUIRED)	
Print Name:	Aleksandra Barbier	Print Name:	Same as seller
Address:	3188 Brazos Street	Address:	" "
City:	Las Vegas	City:	" "
State:	NV Zip: 89109	State:	" Zip: "

COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)
Print Name: JEFFREY BURR & ASSOCIATES Escrow #
Address: 4455 S. PECOS
City: LAS VEGAS, NV 89121 State: Zip:

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)

1940

TO ASSESSOR'S COPY

PRJ-75024
12/03/18

VAC-75222

20031202
.01940

CLARK COUNTY, NEVADA
FRANCES DEANE, RECORDER

RECORDED AT THE REQUEST OF
JEFFREY L BURR & ASSOCIATES

12-02-2003 13:35 DG1
OFFICIAL RECORDS
BOOK/INSTR:20031202-01940
PAGE COUNT: 4

FEE: 17.00
RPTT: EX#003

APN# 125-30-101-006

(4)

RE-RECORDED

Recording requested by:
Jeffrey L Burr & Associates

Return to:
Name Jeffrey L. Burr & Assoc.
Address 4455 S Pecos Rd
City/State/Zip Las Vegas, NV 89121

RECORDER'S MEMO
POSSIBLE POOR RECORD DUE TO
QUALITY OF ORIGINAL DOCUMENT

DEED
(Title on Document)

This page added to provide additional information required by NRS 111.312 Sections 1-2
(Additional recording fee applies).

This cover page must be typed or printed clearly in black ink only.

ASSESSOR'S COPY

PRJ-75024
12/03/18

VAC-75222

20031202
01940

THIS DEED IS BEING RE-RECORDED TO CORRECT THE DATE OF THE ALEKSANDRA BARBIER LIVING TRUST

GRANT, BARGAIN, SALE DEED

(3)

THIS INDENTURE WITNESSETH: That ALEKSANDRA BARBIER, for good and other valuable consideration, does hereby Grant, Bargain, Sell and Convey to ALEKSANDRA BARBIER, Trustee of the ALEKSANDRA BARBIER LIVING TRUST, dated ~~June 22~~ July 18, 1995, as amended, or restated, or her successors, all of her right, title and interest in that real property situated in the County of Clark, State of Nevada, bounded and described as follows:

The East Half (E 1/2) of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 30, Township 19 South, Range 60 East, M.D.B.&M.

SUBJECT TO:
1. Taxes for the fiscal year
2. Covenants, conditions, restrictions, reservations, rights of way, and easements now of record.

GRANTEES ADDRESS: ALEKSANDRA BARBIER, 3188 Brazos Street, Las Vegas, NV 89109-3205
APN: 125-30-101-006

Subject to: Powers of Trustee attached hereto as Exhibit "A" and by this reference incorporated herein.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining.

Witness her hand this 1st day of August, 1995.

Aleksandra Barbier
ALEKSANDRA BARBIER

File No. 95-1184-E

ASSESSOR'S COPY

PRJ-75024
12/03/18

VAC-75222

20031202
.01940

950825.01259

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

On this 15th day of August, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared ALEKSANDRA BARBIER, known to me to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same.

WITNESS my hand and official seal.

Notary Public

When Recorded, Mail to:
ALEKSANDRA BARBIER
3188 Brazos Street
Las Vegas, NV 89109-3205

ASSESSOR'S COPY

PRJ-75024
12/03/18

VAC-75222

20031202
01940

950825.01254

EXHIBIT "A"
POWERS OF TRUSTEE

ALEKSANDRA BARBIER, Trustee, is hereby vested with complete powers of disposition of the real estate herein described, including the power to plat, sell, encumber, mortgage and convey as a whole or in parcels, and no person dealing with said Trustee shall be obligated to look beyond the terms of this instrument for power in the Trustee to sell, encumber, mortgage or convey, the real estate described herein.

Said Grantee is likewise hereby excused from any and all duties of diligence and responsibility respecting the propriety of any act of said Trustee purporting to be done under or by virtue of the terms of this issue.

This conveyance is made in Trust pursuant to and in accordance with the **"ALEKSANDRA BARBIER LIVING TRUST"** which was executed on ~~June 27~~ **July 18**, 1995.

2003 NOV 13 P 2:03

CLARK COUNTY NEVADA
JUDITH A. VANDEVER RECORDER
RECORDED AT REQUEST OF
JEFFREY L. BURR LTD
08-25-95 13:50 TML
OFFICIAL RECORDS
BOOK 950825 INST 01254
FEE: 9.00 RPTT EX#008

ASSESSOR'S COPY

PRJ-75024
12/03/18

VAC-75222

LEGAL DESCRIPTION

THE EAST HALF (E 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B. & M.

PRJ-75024
12/03/18

VAC-75222

APN: 125-30-101-006

EXHIBIT "A"

EXPLANATION: THIS DESCRIPTION REPRESENTS A PORTION OF A PATENT EASEMENT RESERVATION TO BE VACATED IN SUPPORT OF THE CENTENNIAL JENSEN 5 PROJECT.

DESCRIPTION

A PORTION OF THAT CERTAIN PATENT EASEMENT RESERVATION RECORDED JANUARY 22, 1963 IN BOOK 415 AS INSTRUMENT NO. 334679 ON FILE AT THE CLARK COUNTY, NEVADA RECORDER'S OFFICE, DESCRIBED AS FOLLOWS:

THE EAST, WEST AND SOUTH THIRTY-THREE (33) OF THE EAST HALF (E 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

EXCEPTING THEREFROM THE NORTH FIFTY (50) FEET, THE SOUTH THIRTY (30) FEET AND THE EAST THIRTY (30) FEET THEREOF.

END OF DESCRIPTION.

(SEE EXHIBIT 'B' ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF)

RUSTY A. WONDERS, PLS
PROFESSIONAL LAND SURVEYOR
NEVADA LICENSE NO. 19751



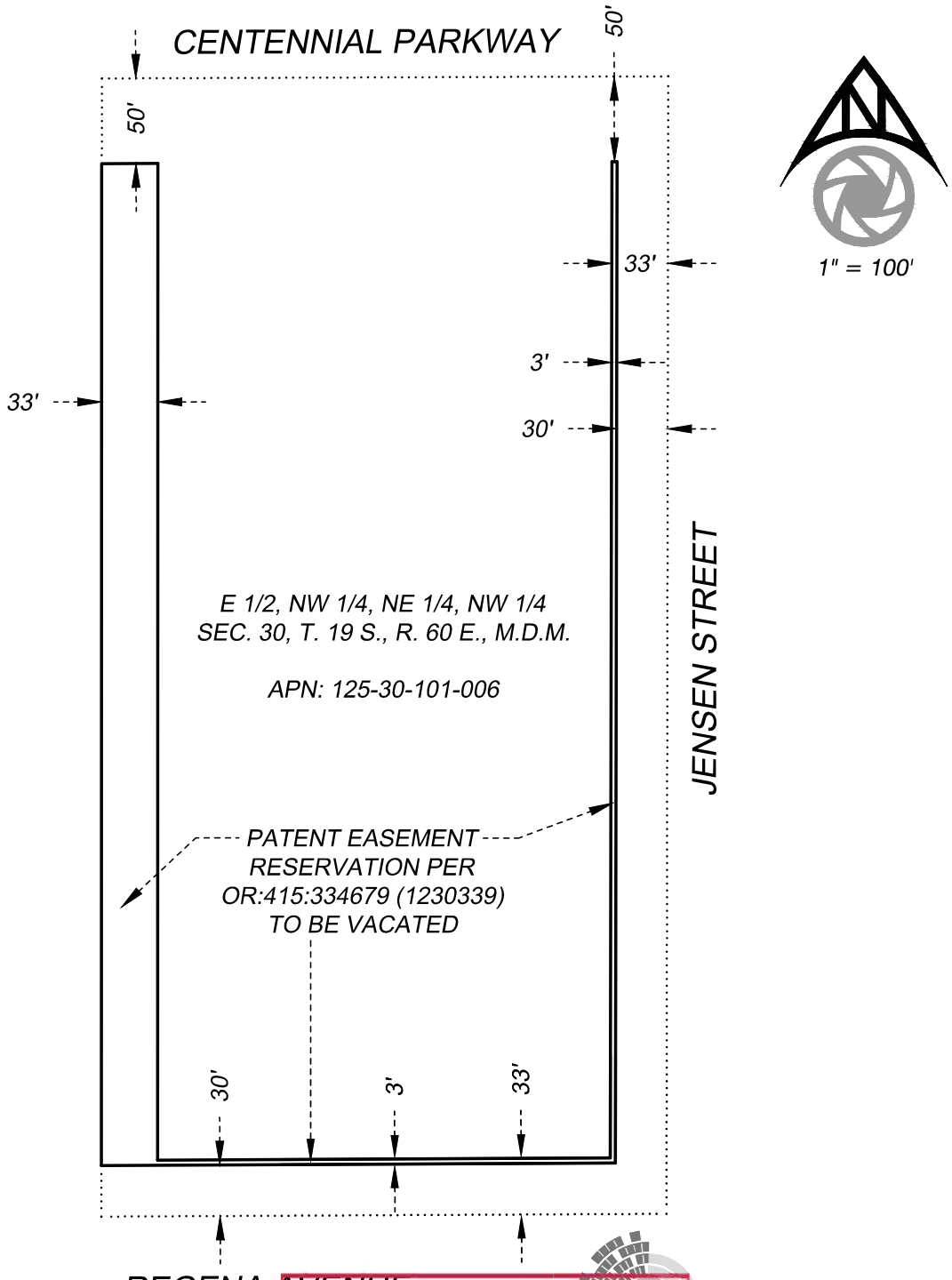
10/10/18
Exp. 6/30/20

DATASIGHT
2451 S. BUFFALO DRIVE, SUITE 105/LAS VEGAS, NEVADA 89117 / TEL: (702) 442-0996

PRJ-75024
12/03/18

VAC-75222

EXHIBIT "B" TO ACCOMPANY DESCRIPTION



J:\DRH\18126\Division\LV Survey\Legals\Exhibits\DRH-18126_PEV-EX01.dwg

PRJ-75024
01/30/19

datasight
2451 S. BUFFALO DRIVE, SUITE 105
LAS VEGAS, NV 89117
OFFICE: 702-442-0996 | DATASIGHTUSA.COM

PAGE 1 OF 1

VAC-75222

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK
2019 MAY -1 P 12:37

PRSRT
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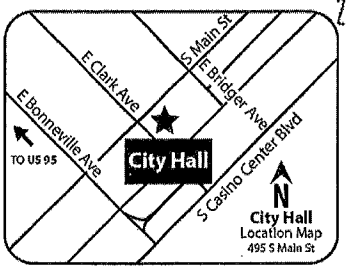
Las Vegas, NV
Permit No. 1630

Return Service Requested
Official Notice of Public Hearing



Case: VAC-75222
12530102011
2-SELAK L L C
4904 RANCHO BERNARDO WAY
LAS VEGAS NV 89130

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAC-75222 [PRJ-75024]
City Council Meeting of **May 1, 2019**

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Permit No. 1630

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CITY CLERK

2019 APR 29 P 3:09

Return Service Requested
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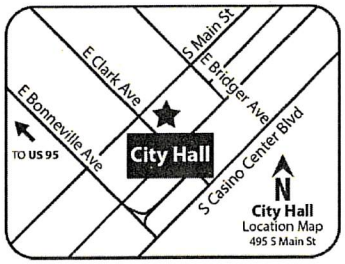

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAC-75222 [PRJ-75024]
City Council Meeting of **May 1, 2019**

Case: VAC-75222
12530111002
10-SCHOUTEN 1983 TRUST
SCHOUTEN MARILYN LEE & ALBERT TR
6370 GOLDSTRIKE CANYON ST
LAS VEGAS NV 89149

Submitted after final agenda
Item 74

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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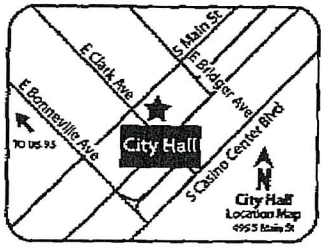
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or submit your comments online at https://cityoflasvegas.formstack.com/forms/plan_app_comments_2018
If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
VAC-75222 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

RECEIVED
JAN 2 2 2018
Dept of Planning
City of Las Vegas

Case: VAC-75222
12530111001
11-RUDICIL DARRIN W
6390 GOLDSTRIKE CANYON ST
LAS VEGAS NV 89149

127 LRDFNPi 89149

Submitted after Final Agenda
ISP

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
89

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
TMP-75223 - ABEYANCE - TENTATIVE MAP RELATED TO GPA-75219, ZON-75220, VAR-75221 AND VAC-75222 - CENTENNIAL JENSEN 5 - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST - For possible action on a request for a Tentative Map FOR AN 18-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION WITH WAIVERS TO ALLOW NO INTERIOR OR EXTERIOR STREETLIGHTS WHERE SUCH IS REQUIRED, DEFERRAL OF OFFSITE IMPROVEMENTS ON REGENA AVENUE AND JENSEN STREET AND A 184-FOOT EXTERNAL INTERSECTION OFFSET WHERE 220 FEET IS REQUIRED on 5.00 acres at the southwest corner of Centennial Parkway and Jensen Street (APN 125-30-101-006), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 6 (Fiore) [PRJ-75024]. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	10	Planning Commission Mtg.	0
City Council Meeting	1	City Council Meeting	0

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation
3. Protest Postcard
4. Backup Submitted from the May 1, 2019 City Council Meeting
5. Backup Submitted at the March 26, 2019 Planning Commission Meeting

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: _____ APN: 125-30-101-006

Name of Property Owner: Aleksandra Barbier Living Trust

Name of Applicant: D.R. Horton

Name of Representative: GCW, Inc. / Angie Scott / ascott@gcwengineering.com

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ **Yes** ☒ **No**

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Robert J. Barbier SUCCESSOR TRUSTEE

Print Name: ROBERT J. BARBIER SUCCESSOR TRUSTEE

Subscribed and sworn before me

This 8 day of October, 2018

Brooke Davis

Notary Public in and for said County and State

BROOKE DAVIS
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 17-3408-1
My Appt. Expires Aug. 23, 2021

Revised 03/28/16

PRJ-75024
12/03/18

DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: GPA, ZON, VAR, VAC, TMP

Project Address (Location) Centennial Parkway and Jensen Street

Project Name Centennial Jenson 5 **Proposed Use** S.F. Residential

Assessor's Parcel #(s) 125-30-101-006 **Ward #** _____

General Plan: existing _____ proposed _____ **Zoning:** existing _____ proposed _____

Commercial Square Footage _____ **Floor Area Ratio** _____

Gross Acres 5.0 **Lots/Units** _____ **Density** _____

Additional Information _____

PROPERTY OWNER Barbier Living Trust **Contact** ROBERT J. BARBIER

Address 1211 SHEFFIELD WAY **Phone:** (916) 773-1365

City ROSEVILLE **State** CA **Zip** 95661-5539

E-mail Address BBCUSTOMPOOLSPA@YAHOO.COM

APPLICANT D.R. Horton, Inc. **Contact** Michael Cuddy

Address 1081 Whitney Ranch Drive #141 **Phone:** (702) 635-3600 **Fax:** (682) 703-3338

City Henderson **State** NV **Zip** 89014

E-mail Address mpcuddy@drhorton.com

REPRESENTATIVE GCW, Inc. **Contact** Angie Scott

Address 1555 S. Rainbow Boulevard **Phone:** (702) 804-2126 **Fax:** (702) 804-2126

City Las Vegas **State** NV **Zip** 89146

E-mail Address ascott@gcwengineering.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* Robert J. Barbier

*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name ROBERT J. BARBIER SUCCESSOR TRUSTEE

Subscribed and sworn before me

This 8 day of October, 20 18.

Brooke Davis

Notary Public in and for said County and State

BROOKE DAVIS
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 17-3408-1
My Appt. Expires Aug. 23, 2021

FOR DEPARTMENT USE ONLY
Case #
Meeting Date:
Total Fee:
Date Received:*
Received By:

*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning for conformance with applicable sections of the Zoning Ordinance.

PRJ-75024
12/03/18

Revised 03/28/16

DEPARTMENT OF PLANNING

DATE: 12/03/2018

City of Las Vegas
Department of Planning
333 North Rancho Drive
Las Vegas, NV 89106

RE: PROJECT NAME Centennial Jensen 5
Tentative Map Election to Follow Alternative Procedure and Consent to Extension of Time Limit

To whom it may concern:

DR Horton (Subdivider) hereby elects to follow the alternative procedure for tentative map processing set forth in LVMC 19.16.050(C)(4). In so doing, Subdivider acknowledges that this election and the City's acceptance of a tentative map application as complete shall be deemed to constitute the mutual consent of the City and Subdivider to extend the time limits set forth in NRS 278.350 for the City to act and report on a tentative map. Subdivider also acknowledges that final action on the map may not occur until final action has been taken on any related zoning application, site development plan review, or both. Subdivider has elected the alternative procedure to facilitate the ability of the tentative map to be heard concurrently with any and all associated land use entitlements.

If any question or concerns arise from this request please contact Michael Cuddy at (702)-635-3600. Thank you.

Sincerely,

(Signature)

Michael Cuddy
(Print)

Subscribed and sworn before me

This 2ND day of DECEMBER, 20 18.

BARBARA A. BROSS
Notary Public, State of Nevada
Appointment No. 98-2673-1
My Appt. Expires Mar 24, 2022

Barbara A Bross
Notary Public in and for said County and State

PRJ-75024
12/03/18

TMP-75223

CENTENNIAL JENSEN 5

DEPARTMENT OF PLANNING

TENTATIVE MAP APPLICATION CHECKLIST

The following information/data shall be submitted with each tentative map application:

A. Tentative Map Contents

- [x] 1. Name of the proposed subdivision.
- [x] 2. Names, addresses and phone numbers of owner, subdivider and surveyor or engineer.
- [x] 3. A legend which denotes the meaning of all the symbols used and which includes the date, north arrow and scale.
- [x] 4. A location map giving sufficient legal description to describe tract boundaries and relationships to surrounding areas and existing public streets.
- [x] 5. Identification of adjoining properties.
- [x] 6. Existing topography (obtained by actual survey at one (1) foot contours (based on city datum) on site and within one hundred fifty (150) feet of the proposed subdivision (except for the interior of existing subdivisions within one hundred, fifty (150) feet). The Department of Public Works may require larger contour intervals for large tracts.
- [x] 7. Existing structures and other physical features.
- [x] 8. Existing and proposed lot lines and dimensions. Each proposed lot shall be numbered in sequence, and each block shall be numbered or lettered. Letters may be used to identify common lots.
- [x] 9. Existing and proposed street right of way widths, grades (with the direction of drainage indicated) and corner radii.
- [x] 10. Existing and proposed street names.
- [x] 11. Except for commercial subdivisions, existing and proposed street addresses or address ranges for each block, in accordance with the City's street addressing regulations. N/A Planning
- [x] 12. Locations and widths of existing and proposed utility rights-of-way and easements.
- [x] 13. Locations and widths of existing and proposed irrigation or drainage ditch rights-of-way and easements.
- [x] 14. Existing and proposed storm drains.
- [x] 15. Proposed sanitary sewer systems, showing pipe sizes, manholes, direction of flow and point of connection to existing facilities.
- [x] 16. Existing and proposed potable water mains and, for subdivisions to be supplies by wells, the location, pressure and capacity of such wells, and the potential population capable of being served by such wells. The wells must be authorized under State certificate.

PRJ-75024
12/03/18

 TMP-75223

Planning ☑ 17. Proposed reservations or dedications for parks, trails, open spaces, schools, or other public or quasi public uses.

☑ 18. Existing street names, rights of way and pavement widths for streets within one hundred fifty (150) feet of the proposed subdivision.

N/A Planning ☐ 19. If required, an Impact Statement in accordance with LVMC 19.16.010 (E) and a Traffic Management Plan.

☑ 20. Note on the map indicating whether streets, drainage corridors, sewer corridors, parks, trails, open spaces and schools are to be public or private.

☑ 21. Note on the map that above ground utility boxes shall not be placed within trail corridors, if trail areas are designated on the map.

B. Supplemental Information

The following supplemental information may be required by the Department of Public Works or the Department of Planning. When required, it shall be submitted on separate drawings or sheets.

☑ 1. A Traffic Impact Analysis, Single Subdivision Access Report, or Master Driveway and Onsite Circulation Plan, prepared in accordance with City standards or as directed by the City Traffic Engineer.

N/A Planning ☐ 2. Development Impact Notice and Assessment (DINA) per LVMC 19.16.010 (E) of the Unified Development Code.

☑ 3. Any proposed deviations from City standards.

Planning ☑ 4. A copy of the deed for the property, if required.

☑ 5. Whenever, on the perimeter of a project, walls are proposed which (1) face a public street or adjoining property not in common ownership; (2) are within a single plane and are not separated by landscaping; and (3) exceed the maximum acceptable wall heights indicated in Title 19 or other applicable Master Plan, the applicant shall submit three copies of a plan or proposed perimeter grades which indicates all such walls. This plan may be super imposed on the tentative map but must be legible. The plan shall include cross sections of all sections of the project perimeter with walls which exceed the heights indicated in above.

☑ 6. A compatible digital format copy of the tentative map.

N/A ☐ 7. If applicable, a letter indicating that an in lieu of park is proposed.

Reviewed by: Roger Bailey A Swanton

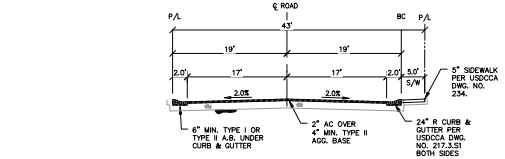
Department of Public Works Signature: _____

Date: 11/9/18 11/7/18

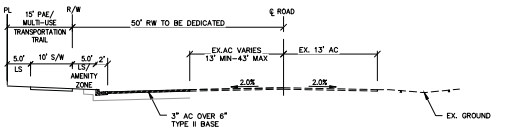
PRJ-75024
12/03/18

TMP-75223

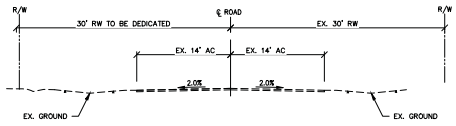
TENTATIVE MAP FOR
CENTENNIAL JENSEN 5
125-30-101-006



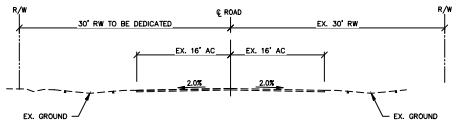
43' PRIVATE STREET — A
SCALE: N.T.S.



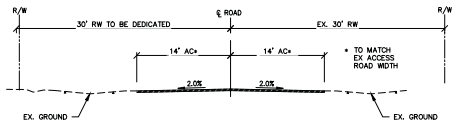
CENTENNIAL PKWY - PUBLIC — B
SCALE: N.T.S.



JENSEN ST - PUBLIC — C
SCALE: N.T.S.

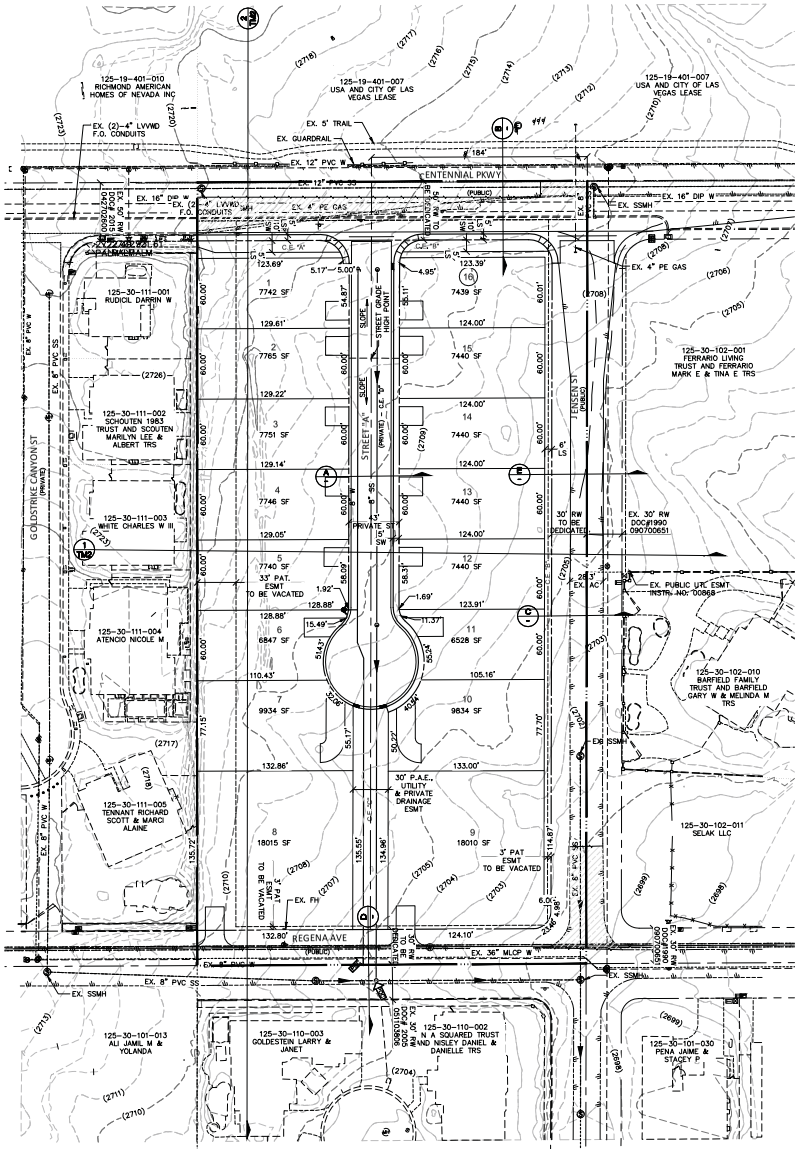


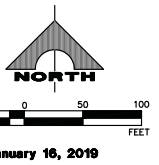
REGENA AVE - PUBLIC — D
SCALE: N.T.S.



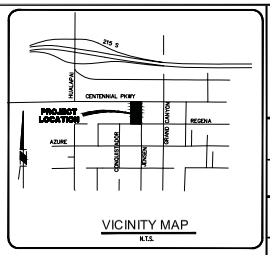
JENSEN ST - PUBLIC — E
SCALE: N.T.S.

City Council - Page 1718





January 16, 2019



VICINITY MAP
N.T.S.

LEGAL DESCRIPTION

THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.B.&M.

NOTES

1. ALL COMMON ELEMENTS TO BE MAINTAINED BY THE HOME OWNER'S ASSOCIATION.
2. THE NEAREST WATER IS LOCATED ON CENTENNIAL, NORTH OF THE PROPOSED SITE.
3. THE NEAREST SEWER IS LOCATED ON CENTENNIAL, NORTH OF THE PROPOSED SITE.
4. THERE IS NO KNOWN MAPPED OR OBSERVABLE FAULTS AND FISSURES, AS WELL AS SETBACK TO ANY FAULTS.
5. THERE IS NO KNOWN GROUNDWATER DEPTHS HISTORICALLY WITHIN 20 FEET OF THE EXISTING GROUND SURFACE.
6. THIS SUBDIVISION IS NOT PART OF A MASTER PLAN.
7. THIS PARCEL IS NOT IN A 100-YR FLOOD ZONE OR IS AFFECTED BY A LOMR.
8. PERIMETER STREETS, DRAINAGE CORRIDORS, SEWER CORRIDORS, PARKS, TRAILS, OPEN SPACES, AND SCHOOLS ARE TO BE PUBLIC.

RESTRICTIVE COVENANT NOTE

A DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND RESERVATION OF EASEMENTS SHALL BE ESTABLISHED AT A LATER DATE.

LEGEND

- CENTER LINE
- RIGHT OF WAY
- PROPERTY LINE
- LOT LINE
- EXISTING EDGE OF PAVEMENT
- PROPOSED EDGE OF PAVEMENT
- PROPOSED SEWER
- PROPOSED WATER
- 25 — LOT NUMBER

SETBACK REQUIREMENTS

FRONT YARD:	20'
SIDE YARD:	5'
SIDE YARD (CORNER):	15'
REAR YARD:	15'

SITE DATA

ZONING
EXISTING ZONING: RESIDENCE ESTATES DISTRICT (R-E)
PROPOSED ZONING: SINGLE FAMILY RESIDENTIAL (R1)
PROPOSED USE: SINGLE FAMILY RESIDENTIAL DISTRICT

LOTTING

NO. OF RESIDENTIAL LOTS	= 16
NO. OF COMMON LOTS	= 3
(COMMON=RESIDENTIAL)	= 19

DENSITY

NO. OF LOTS	= 16
GROSS ACREAGE	= 5.09 AC
GROSS DENSITY	= 3.14 UNIT/AC

LOT SIZE

MAXIMUM LOT SIZE SF	= 18015 SF
MINIMUM LOT SIZE SF	= 6528 SF
AVERAGE LOT SIZE	= 9070 SF

OWNER

BARBIER ALEKSANDRA LIVING TRUST AND BARBIER ALEKSANDRA TRS
3188 BRAZOS STREET
LAS VEGAS, NV 89109

DEVELOPER

DR HORTON
1081 WHITNEY RANCH DR
HENDERSON, NV 89014
(702) 635-3600

PRJ 75024
01/30/19

GCW ENGINEERS\SURVEYORS
1555 S. RAINBOW BLVD.
LAS VEGAS, NV 89146
T: 702.804.2000
F: 702.804.2299
gcwengineering.com

UTILITY SERVICES

LAS VEGAS VALLEY WATER DISTRICT – WATER
CITY OF LAS VEGAS – SEWER
REPUBLIC SERVICES – DISPOSAL
NV ENERGY – POWER
SOUTHWEST GAS CORPORATION – GAS
CENTRAL TELEPHONE CO. DBA CENTURY LINK – TELEPHONE
COX COMMUNICATION – CABLE

DR HORTON
CENTENNIAL JENSEN 5
TENTATIVE MAP

PROJECT NO. 767-639
DESIGN:
DRAWN: LRL
CHECK:
PLOT DATE: 01-16-19
PLOT TIME: 16:48:42

GCW
1555 S. RAINBOW BLVD.
LAS VEGAS, NV 89146
T: 702.804.2000
F: 702.804.2299
ENGINEERS\SURVEYORS gcwengineering.com

F:\PROJECTS\700\767-639\DWG\TENTMAP\V4.6.9C_TM.DWG
KATRINA H. LEE

DRAWING
TM
1 OF 2 SHTS

DR HORTON

CENTENNIAL JENSEN S

TENTATIVE MAP 2

DRAWING TM2

2 OF 2 SHTS

GCW ENGINEERS & SURVEYORS

1555 S. RAINBOW BLVD.
LAS VEGAS, NV 89146
T: 702.804.2000
F: 702.804.2299
gcwengineering.com

F:\PROJECTS\700\767-639\DWG\TENTMAP\A6396C_TM.DWG

KARIMAH LEE

PROJECT NO. 767-639

DESIGN:

DRAWN: LBL

CHECK:

PLOT DATE=01-16-19

PLOT TIME=14:43:24

NO.	DATE	DESCRIPTION	DATE	AGEN APP	DATE	CGW APP

DATE:

PRJ-75024
01/30/19

SCALE 20 0 20 40 FEET

TYPICAL SECTION
VERT.: 1" = 20'
HOR.: 1" = 20'

TYPICAL SECTION
VERT.: 1" = 20'
HOR.: 1" = 20'

TYPICAL SECTION
VERT.: 1" = 20'
HOR.: 1" = 20'

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Las Vegas, NV
Permit No. 1630

Return Service Requested

RECEIVED
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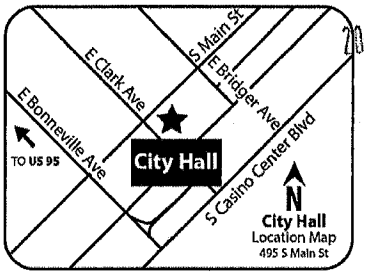
2019 MAY 13 P 12:35

Official Notice of Public Hearing



PRJ-75024_1
12530503002
FRANKS PAUL
CRANE-FRANKS ILEENE
6275 N PARK ST
LAS VEGAS NV 89149-2376

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

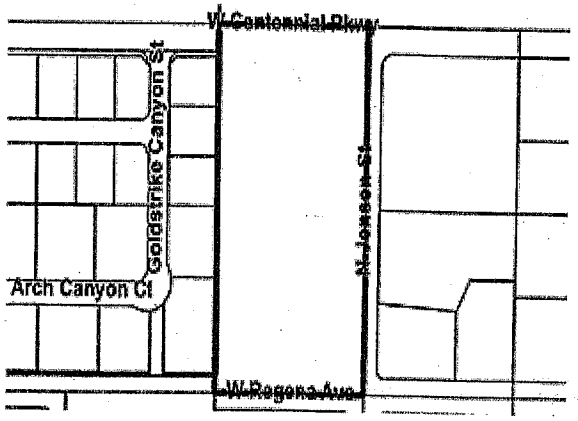
TMP-75223 [PRJ-75024]
City Council Meeting of **May 1, 2019**

127 BRODHEAD 89149

Application Information

TMP-75223 - TENTATIVE MAP RELATED TO GPA-75219, ZON-75220, VAR-75221 AND VAC-75222 - CENTENNIAL JENSEN 5 - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST - For possible action on a request for a Tentative Map FOR AN 18-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION WITH WAIVERS TO ALLOW NO INTERIOR OR EXTERIOR STREETLIGHTS WHERE SUCH IS REQUIRED, DEFERRAL OF OFFSITE IMPROVEMENTS ON REGENA AVENUE AND JENSEN STREET AND A 184-FOOT EXTERNAL INTERSECTION OFFSET WHERE 220 FEET IS REQUIRED on 5.00 acres at the southwest corner of Centennial Parkway and Jensen Street (APN 125-30-101-006), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 6 (Fiore) [PRJ-75024]. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL. This lot is currently zoned to allow 10 new lots of record. No need for variance which may cause a decrease in safety if current density is followed. Would open the door to continued changes in neighborhood character

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	May 1, 2019
Location:	City Council Chambers 495 South Main St, 2nd Fl. Las Vegas, Nevada
Not to be heard before:	11:00 A.M.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 2nd Floor, City Hall, 495 South Main Street, Las Vegas, Nevada, 89101. For further information, go to www.lasvegasnevada.gov or call (702) 229-6311 (TTY 7-1-1). **Note that postcards and comments received after an agenda posts will not be reflected online until after the meeting; however, the comments are made available to the members of the governing body for their consideration prior to the meeting.**

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Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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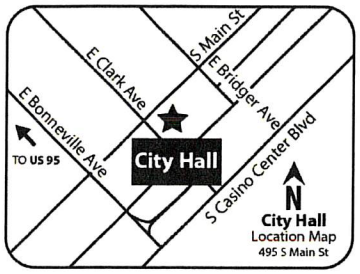

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

TMP-75223 [PRJ-75024]
City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530102008
BROADHEAD RANDY E & VIVIAN S
6385 GRAND CANYON DR
LAS VEGAS NV 89149-1302

127 BRDGNP1 89149

City of Las Vegas
Office of The City Clerk
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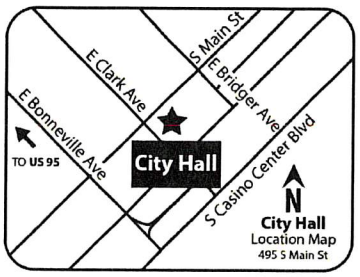

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

TMP-75223 [PRJ-75024]
City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530102009
BROADHEAD IRREVOCABLE TRUST
BROADHEAD RANDY E TRS
6385 GRAND CANYON DR
LAS VEGAS NV 89149-1302

Submitted after final agenda
Item 75

127 BRDGNP1 89149

City of Las Vegas
Office of The City Clerk
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Las Vegas, Nevada 89101

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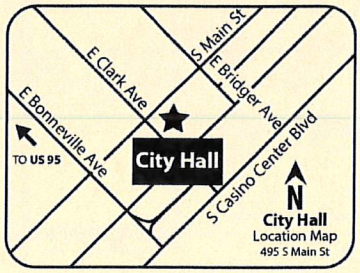
2019 APR 25 A 11:52



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

TMP-75223 [PRJ-75024]
City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530102006
LUCHINGER LIVING TRUST
LUCHINGER FERDINAND & URSULA CO-
6325 N GRAND CANYON DR
LAS VEGAS NV 89149

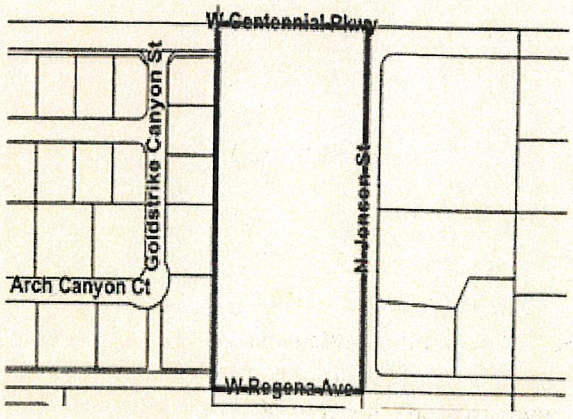
127 BRDSHP1 89149

Application Information

TMP-75223 - TENTATIVE MAP RELATED TO GPA-75219, ZON-75220, VAR-75221 AND VAC-75222 - CENTENNIAL JENSEN 5 - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST - For possible action on a request for a Tentative Map FOR AN 18-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION WITH WAIVERS TO ALLOW NO INTERIOR OR EXTERIOR STREETLIGHTS WHERE SUCH IS REQUIRED, DEFERRAL OF OFFSITE IMPROVEMENTS ON REGENA AVENUE AND JENSEN STREET AND A 184-FOOT EXTERNAL INTERSECTION OFFSET WHERE 220 FEET IS REQUIRED on 5.00 acres at the southwest corner of Centennial Parkway and Jensen Street (APN 125-30-101-006), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 6 (Fiore) [PRJ-75024]. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

I oppose the building of 18 homes on this 5 acre property

Application Location



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Public Hearing Information

Meeting: City Council
Date: May 1, 2019
Location: City Council Chambers
495 South Main St, 2nd Fl.
Las Vegas, Nevada
Not to be heard before: 11:00 A.M.

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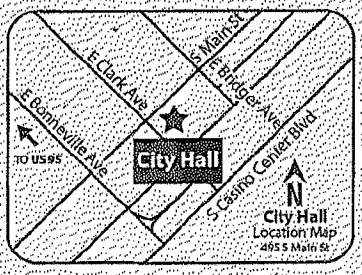

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

TMP-75223 [PRJ-75024]
City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530210004
EATON BRIAN SPENCER & MARYANNE
6196 BEDFORD FALLS CIR
LAS VEGAS NV 89149-1430

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Office of The City Clerk
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Las Vegas, Nevada 89101

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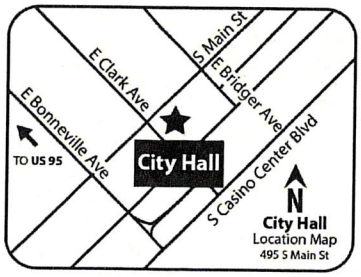

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

TMP-75223 [PRJ-75024]
City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530111002
SCHOUTEN 1983 TRUST
SCHOUTEN MARILYN LEE & ALBERT TR
6370 GOLDSTRIKE CANYON ST
LAS VEGAS NV 89149

127 BRDGNP1 89149

Submitted after final agenda
Item 75

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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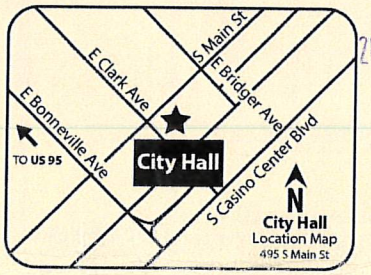
2019 APR 29 P 3:09



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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TMP-75223 [PRJ-75024]
City Council Meeting of **May 1, 2019**

PRJ-75024_1
12530111011
CHAPARIAN MARK
ROBERTS-CHAPARIAN LORA
9780 ARCH CANYON CT
LAS VEGAS NV 89149

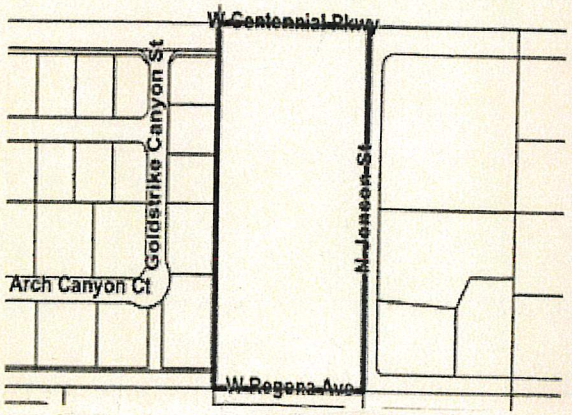
127 BRDGHP1 89149

Application Information

TMP-75223 - TENTATIVE MAP RELATED TO GPA-75219, ZON-75220, VAR-75221 AND VAC-75222 - CENTENNIAL JENSEN 5 - PUBLIC HEARING - APPLICANT: DR HORTON, INC. - OWNER: ALEKSANDRA BARBIER LIVING TRUST - For possible action on a request for a Tentative Map FOR AN 18-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION WITH WAIVERS TO ALLOW NO INTERIOR OR EXTERIOR STREETLIGHTS WHERE SUCH IS REQUIRED, DEFERRAL OF OFFSITE IMPROVEMENTS ON REGENA AVENUE AND JENSEN STREET AND A 184-FOOT EXTERNAL INTERSECTION OFFSET WHERE 220 FEET IS REQUIRED on 5.00 acres at the southwest corner of Centennial Parkway and Jensen Street (APN 125-30-101-006), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential)], Ward 6 (Fiore) [PRJ-75024]. Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL.

This exceeds prior Count/City agreement (10K Sq Ft lots Min) And DR Horton told us 16 was the #

Application Location



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NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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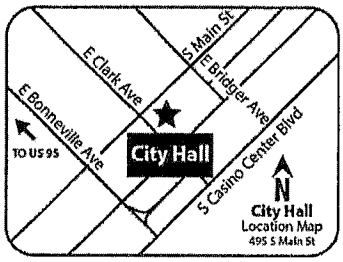

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If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
TMP-75223 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

Case: TMP-75223
12530102009
BROADHEAD IRREVOCABLE TRUST
BROADHEAD RANDY E TRS
6385 GRAND CANYON DR
LAS VEGAS NV 89149-1302

127 LRDPNP1 89149

21P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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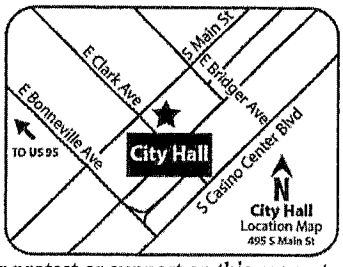

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TMP-75223 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

Case: TMP-75223
12530102008
BROADHEAD RANDY E & VIVIAN S
6385 GRAND CANYON DR
LAS VEGAS NV 89149-1302

127 LRDPNP1 89149

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City of Las Vegas
Department of Planning
Development Services Center
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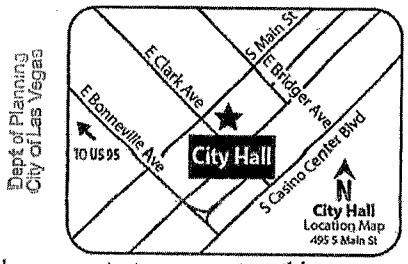

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.
TMP-75223 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

There is an adopted plan and zoning in place. Do NOT deviate from what has already been adopted. Case-by-case is not planning. If changes or update is needed do it as an overall process, not piece meal.

Case: TMP-75223

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12530503002
FRANKS PAUL
CRANE-FRANKS ILEENE
6275 N PARK ST
LAS VEGAS NV 89149-2376

127 LRDFMP1 89149

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City of Las Vegas
Department of Planning
Development Services Center
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Las Vegas, Nevada 89106

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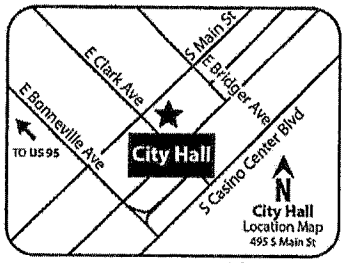

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Dept of Planning
City of Las Vegas

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TMP-75223 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

Case: TMP-75223
12530102004
DI DIO JOHN & ANTONIA J
6335 N GRAND CANYON DR
LAS VEGAS NV 89149-1302

127 LRDFNP1 89149

21P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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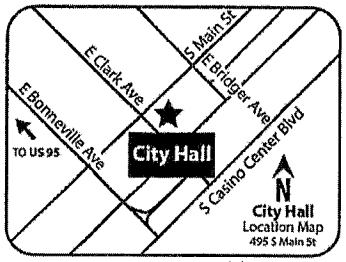

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TMP-75223 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

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Dept of Planning
City of Las Vegas

Case: TMP-75223
12530501002
ALLEN ANDY S & CHERYL LYNN
6375 N PARK ST
LAS VEGAS NV 89149

127 LRDFNP1 89149

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Department of Planning
Development Services Center
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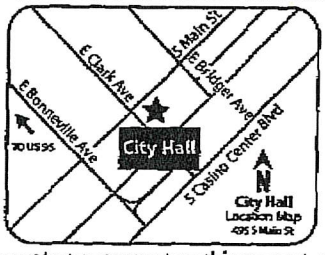

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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TMP-75223 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

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Dept of Planning
City of Las Vegas

Case: TMP-75223
12530111001
RUDICIL DARRIN W
6390 GOLDSTRIKE CANYON ST
LAS VEGAS NV 89149

127 LRDFNP1 89149

Submitted after Final Agenda

1 of P

PAGE 01/01

City of Las Vegas
Department of Planning
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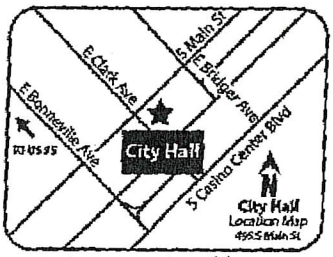

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Planning Commission Meeting of **1/22/2019**

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JAN 2 2 2018
Dept of Planning
City of Las Vegas

Case: TMP-75223
12530101026
YOUNG FAMILY TRUST
YOUNG RICK W & MARIAN E TRS
9865 W REGENA AVE
LAS VEGAS NV 89149-1347

YOUNG

1 of 1

PAGE. 1/ 1
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Jan.16.2019 10:10 AM

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Department of Planning
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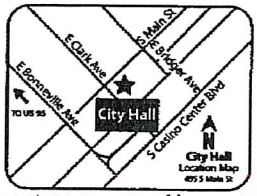
Permit No. 1630

Return Service Requested
Official Notice of Public Hearing



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JAN 2 2 2018
Dept of Planning
City of Las Vegas

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If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.
TMP-75223 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

Case: TMP-75223
12530101044
KELLY FAMILY TRUST
KELLY RAE F & JANE E TRS
6215 N GRAND CANYON DR
LAS VEGAS NV 89149-1362

127 LRDFNP1 89149

16P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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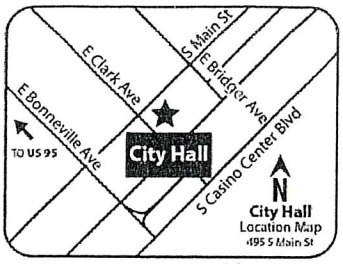

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City of Las Vegas

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☒ I OPPOSE this Request

Please use available blank space on card for your comments.
TMP-75223 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

Case: TMP-75223
12530111019
SHAFFER RICHARD P JR & SHARON A
SHAFFER RICHARD P JR & SHARON A
9791 MOSAIC CANYON CT
LAS VEGAS NV 89149

127 LRDFNP1 89149

16P

City of Las Vegas
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333 North Rancho Drive, 3rd Floor
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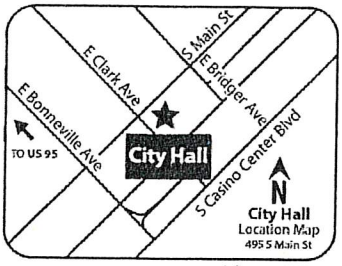

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JAN 17 2019
Dept of Planning
City of Las Vegas

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TMP-75223 [PRJ-75024]
Planning Commission Meeting of **1/22/2019**

Case: TMP-75223
12530102006
LUCHINGER LIVING TRUST
LUCHINGER FERDINAND & URSULA CO-
6325 N GRAND CANYON DR
LAS VEGAS NV 89149

127 LRDFNP1 89145

16P

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
90

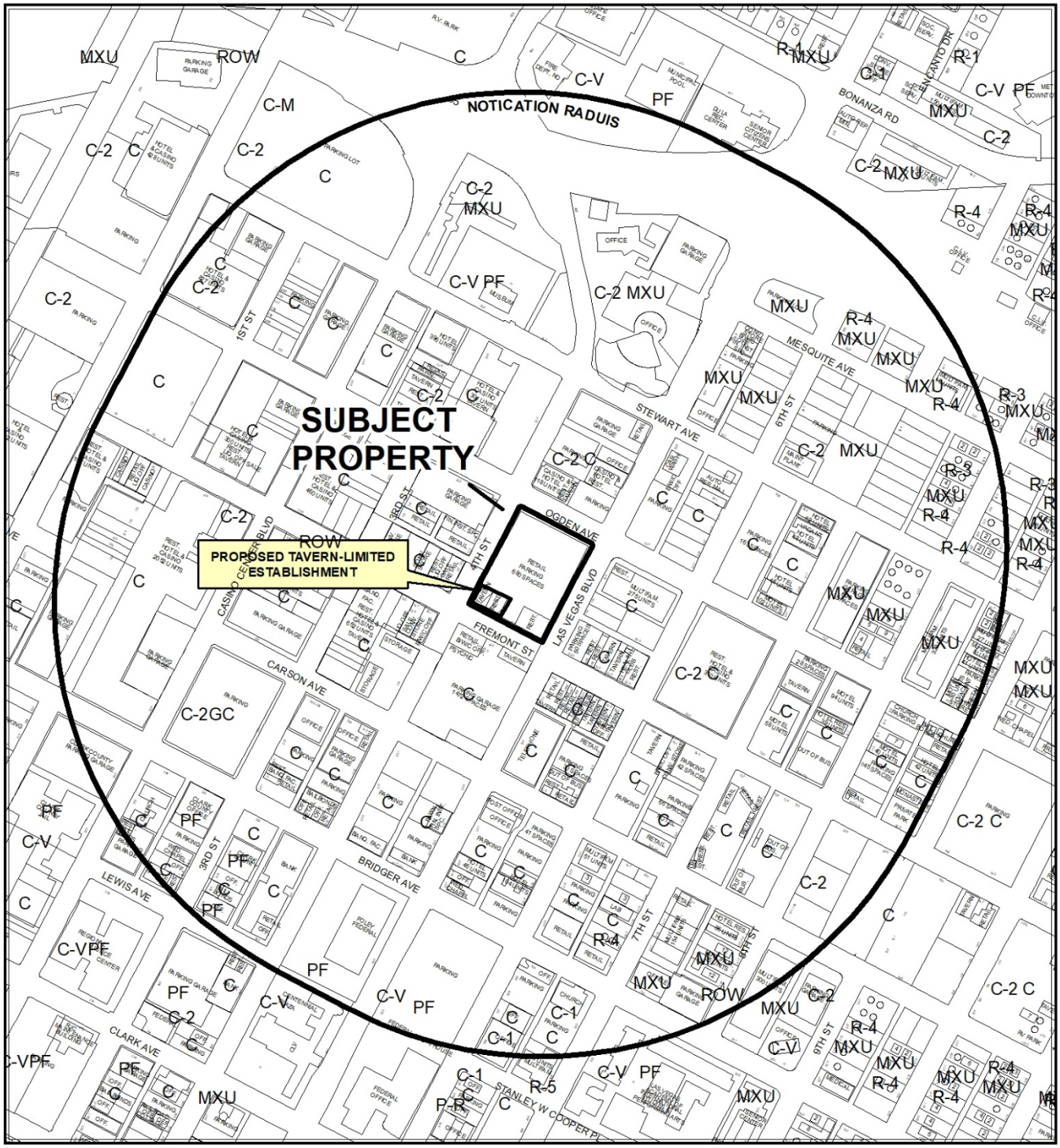
DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
SUP-76224 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: TASTE OF AFRICA - OWNER: FAEC HOLDINGS WIRRULLA, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 12,741 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT USE WITH A 1,245 SQUARE-FOOT OUTDOOR PATIO at 450 Fremont Street, Suite #295 (APN 139-34-513-002), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-75602]. The Planning Commission (5-0 vote) and Staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	2	Planning Commission Mtg.	0
City Council Meeting	2	City Council Meeting	2

RECOMMENDATION:
The Planning Commission (5-0 vote) and Staff recommend APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Special Map
3. Conditions and Staff Report
4. Supporting Documentation
5. Photo(s)
6. Justification Letter
7. Backup Submitted from the July 3, 2019 City Council Meeting
8. Backup Submitted at the May 28, 2019 Planning Commission Meeting



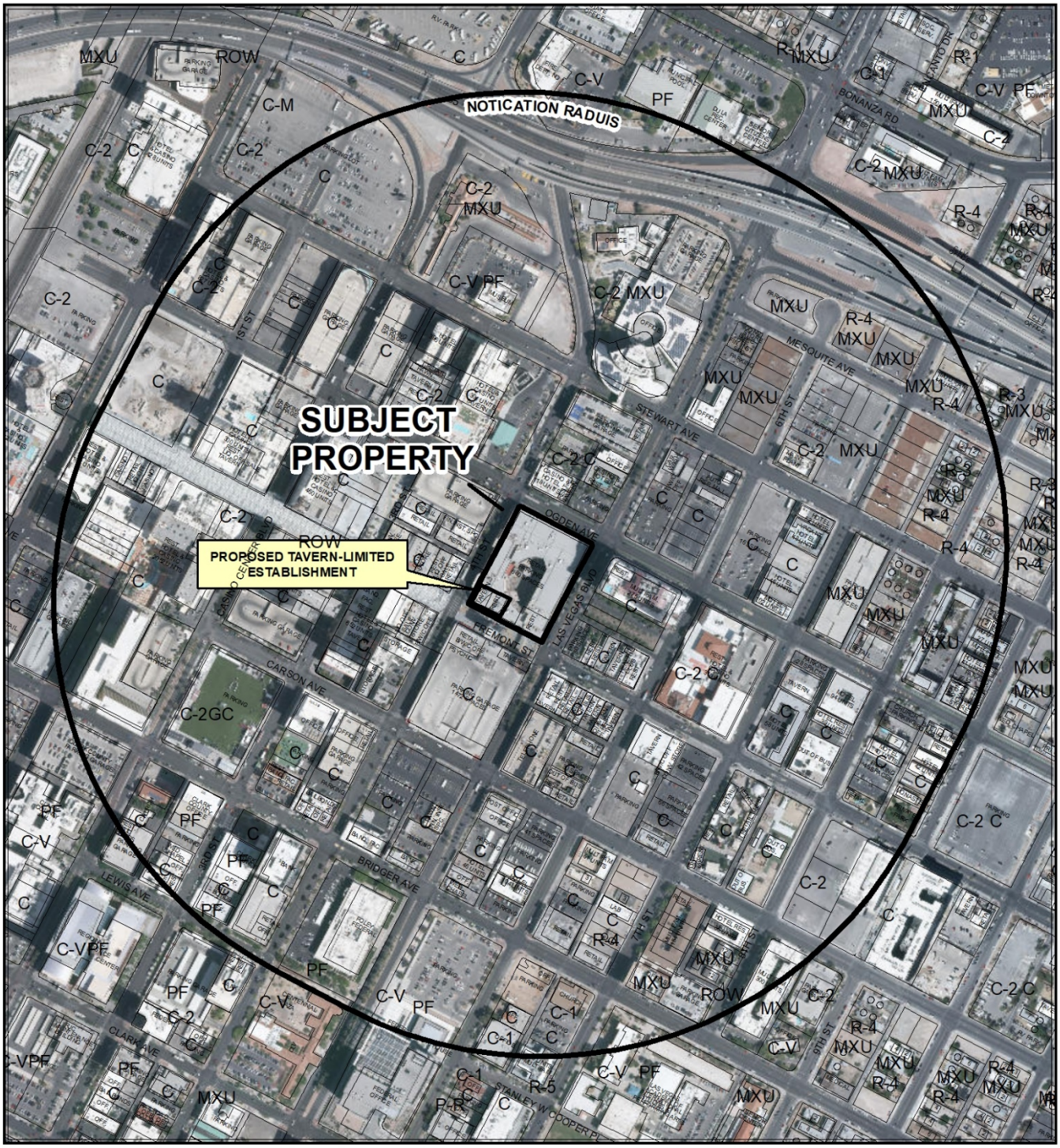
0 412.5 825 Feet

CASE: **SUP-76224 (PRJ-75602)**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



CASE: **SUP-76224 (PRJ-75602)**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)



SUP-76224
(PRJ-75602)

Proposed Tavern-Limited Establishment

Business Licenses

- Tavern
- Tavern-Limited
- Urban Lounge
- Ancillary Brew Pub

Protected Uses

- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Child Care/ Children Facility
- Private Schools

Entitlements EOT

- TAVERNS

- Entertainment District
- Subject Property

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Monday, April 15, 2019

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 3, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: TASTE OF AFRICA - OWNER: FAEC HOLDINGS WIRRULLA, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-76224	Staff recommends APPROVAL, subject to conditions:	

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 32

NOTICES MAILED 877 (By City Clerk)

PROTESTS 2

APPROVALS 0

JAB

**** CONDITIONS ****

SUP-76224 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

3. Modifications to the exterior façade facing Freemont Street will require approval of the Fremont Street Experience Limited Liability Company, pursuant to Title 11.68.

4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.

5. Approval of this Special Use Permit does not constitute approval of a liquor license.

6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed Tavern-Limited Establishment in the Resort and Casino District of the Downtown Master Plan at 450 Fremont Street.

ISSUES

- The Tavern-Limited use is permitted in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

ANALYSIS

A Tavern-Limited Establishment is described in Title 19.12 as: "An establishment that is licensed with a tavern-limited license in accordance with LVMC Chapter 6.50." There are no Minimum Special Use Permit Requirements for this use. The use is permitted in the C-2 (General Commercial) zoning district with an approved Special Use Permit.

This project is in the Downtown Las Vegas Overlay—Resort and Casino District in an existing 12,741 square-foot tenant space with 1,254 of outdoor balcony seating. The second floor is a restaurant and bar; the third floor is a banquet and event space. Both have outdoor balcony seating. The intent of the Resort and Casino District is to serve as the activity and entertainment anchor for downtown. In a justification letter stamped 04/10/19, the applicant states that:

> *"The intended use of the Tenant/Suite is for a themed African Restaurant and Bar with an authentic feel for the culture, artifacts and food of Africa, there also will be an area for performers to play or sing. The upper level will be utilized for special events, such as receptions, banquets, corporate meetings/gatherings and the like."*

Additionally, Objective 1.3 and policy 1.3.2 of the Las Vegas Master Plan 2020 state that "development should be weighted towards restaurants, retail shops, and service businesses intended to serve local residents as well as the tourist market." The representative stated that there are no proposed changes to the exterior façade at this time. Any changes to the elevations along Fremont Street must be approved by the Fremont Street Experience. Staff has added conditions that address these issues.

The site is located along the Scenic Byway, which was designated in 2004 to protect and enhance the nighttime scenic qualities of Las Vegas Boulevard between Sahara Avenue and Washington Avenue. As a result, all proposed signage is required to comply with the Las Vegas Boulevard Scenic Byway Overlay District, Title 19.10.160, and be approved by the Downtown Design Review Committee (DDRC). The current proposal does not include signage.

The proposed use meets the goals of the Downtown Las Vegas Master Plan and the Las Vegas Master Plan 2020 by providing new opportunities for entertainment and commercial ventures; therefore, staff recommends approval of the proposed Special Use Permit.

FINDINGS (SUP-76224)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

   The proposed Tavern-Limited Establishment will be located within the Downtown Las Vegas Overlay – Resort and Casino District. The proposed use can be conducted in a harmonious and compatible manner with the existing and future development within the surrounding area.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The subject site can physically accommodate the proposed Tavern-Limited Establishment use and is in close proximity of other commercial uses in the area.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

   The proposed Tavern-Limited Establishment use is located on Fremont Street, an 80-foot Collector, and Las Vegas Boulevard, an 80-foot Primary Arterial, and is adequate in size to meet the requirements of the proposed use.

4. **Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

The proposed Tavern-Limited Establishment would not compromise the public health, safety, or welfare as the use would be subject to regular inspections to ensure compliance with all applicable code requirements. The proposed Special Use Permit request is not inconsistent with objectives of the General Plan.

5. The use meets all of the applicable conditions per Title 19.12.

There are no applicable conditions for a Tavern-Limited Establishment per Title 19.12.

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc	
03/23/98	The City Council approved a Site Development Plan Review (SDR-0003-98) for a proposed 264,210 square-foot Retail/Entertainment Complex at 450 Fremont Street. The Planning Commission and staff recommended approval.
01/16/02	The City Council approved a Master Sign Plan (MSP-0014-01) for a Retail/Entertainment Complex at 450 Fremont Street. The Planning Commission and staff recommended approval.
10/17/12	The City Council approved a request for a Special Use Permit (SUP-46297) for a proposed Liquor Establishment (Tavern) and Night Club with Waivers to allow a zero-foot distance separation from a similar use, a 1,240-foot separation from a church and a 1,340-foot separation from a school where 1,500 feet is required. The Planning Commission and staff recommended approval. The approval expired 03/04/14.
10/10/17	The Planning Commission approved a Special Use Permit (SUP-71105) for a proposed 54,750 square-foot Night Club with Waivers to allow a 1,220-foot distance separation from a Church/House of Worship and a 1,340-foot distance separation from a School where 1,500 feet is required at 450 Fremont Street, Suite #370. Staff recommended approval.
09/11/18	The Planning Commission approved a Special Use Permit (SUP-74075) for a proposed 10,407 square-foot Tavern-Limited Establishment use at 450 Fremont Street, Suite #201. Staff recommended approval.
09/11/18	The Planning Commission approved a Special Use Permit (SUP-74078) for a proposed 6,463 square-foot Nightclub use with Waivers to allow a 1,220-foot distance separation from a Church/House of Worship and a 1,340-foot distance separation from a School where 1,500 feet is required at 450 Fremont Street, Suite #225. Staff recommended approval.
05/28/19	The Planning Commission voted (5-0) to recommend APPROVAL of a request for a Special Use Permit FOR A PROPOSED 12,741 SQUARE-FOOT TAVERN-LIMITED ESTABLISHMENT USE WITH A 1,245 SQUARE-FOOT OUTDOOR PATIO at 450 Fremont Street, Suite #295 (APN 139-34-513-002), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-75602].

Most Recent Change of Ownership	
04/01/13	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
09/02/15	A building permit (G63-05878) was issued for commercial leasing and management at 450 Fremont, Suite 285. The license is active as of 04/12/19.
09/18/17	A building permit (C17-01476) was issued for electrical work at 450 Fremont Street, Suite 310. The permit was finalized on 12/05/17.
12/20/17	A business license (P65-00339) was issued for a wedding chapel at 450 Freemont Street. The permit is still active as of 04/12/19.
02/25/19	A building permit (C19-00119)) was issued for a tenant improvement at 450 Fremont Street, Suite 201. The permit is in the inspection phase as of 04/11/19.

Pre-Application Meeting	
01/14/19	A pre-application meeting was held with the applicant to discuss submittal requirements for a Special Use Permit.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
04/15/19	The site is developed with a three-level shopping center. The area of the proposed use is located on the second floor in a suite that is currently vacant.

Details of Application Request	
Site Area	
Net Acres	2.75

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	C (Commercial)	C-2 (General Commercial)
North	Hotel & Casino	C (Commercial)	C-2 (General Commercial)
South	Parking, Commercial	C (Commercial)	C-2 (General Commercial)
	Liquor Establishment (Tavern)		
	General Retail Store		
	Restaurant		
East	Multi-Family Residential	C (Commercial)	C-2 (General Commercial)
	Restaurant		
	Tavern-Limited Establishment		
West	General Retail Store	C (Commercial)	C-2 (General Commercial)
	Pawn Shop		
	Parking, Commercial		

Master and Neighborhood Plan Areas	***Compliance***
Downtown Master Plan – Resort & Casino District	Y
Special Area and Overlay Districts	***Compliance***
A-O (Airport Overlay) District – 200 Feet	Y
DC-O (Downtown Casino Overlay) District	Y*
DTLV-O (Downtown Las Vegas Overlay) District – Resort & Casino District	Y
LW-O (Live/Work Overlay) District	Y
SB-O (Las Vegas Boulevard Scenic Byway Overlay) District	Y*

JAB

Other Plans or Special Requirements	*Compliance*
Trails	Y
Las Vegas Redevelopment Plan Area 1	Y
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

**Future signage must comply with Title 19.10.100 and 19.10.160 sign standards and receive approval from Fremont Street Experience Board of Managers.*

DEVELOPMENT STANDARDS

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Fremont Street	Collector	Planned Streets and Highways	80	Y
Las Vegas Boulevard	Primary Arterial	Planned Streets and Highways	80	Y
Ogden Avenue	Collector	Planned Streets and Highways	80	Y

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement - Downtown							
Use	*Gross Floor Area or # of Units*	*Base Parking Requirement*			*Provided*		*Compliance*
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	264,210 sf	1 space per 250 SF GFA	1,057				
TOTAL SPACES REQUIRED			1,057		680		Y*

**Projects located within the Downtown Las Vegas Overlay - Area 1 are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City.*

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use

Case #
Meeting Date
Total Fee
Received By/Date

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) Special Use Permit

Project Address (Location) 450 Fremont St, Suites 295 & 390

Project Name Taste of Africa **Proposed Use** Restaurant & Tavern - Limited

Assessor's Parcel #(s) 139-34-513-002 **Ward #** 5

General Plan: Existing C Proposed _____ **Zoning:** Existing C-2 Proposed _____

Additional Information Part of the 2nd and 3rd Floors of the Neonopolis Commercial Center Downtown

Property Owner FAEC Holdings Wirrulla, LLC Contact Abhay Mahabal

Address 450 Fremont St, Ste 285 City Las Vegas State NV Zip 89101

E-mail abhay@wirrulla.com Phone 702-243-0654

Applicant DVAST, Inc. Contact Christopher

Address 7539 Belgian Lion St City Las Vegs State NV Zip 89139

E-mail dvastinc@yahoo.com Phone 702-497-6187

Representative LV Access LLC Contact Rikki Barlow

Address 3172 N. Rainbow Blvd, #202 City Las Vegas State NV Zip 89108

E-mail rickibarlow@lvaccess.com Phone 702-461-3121

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes
☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official _____ **Partner(s)** _____

Partner(s) _____

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature Amahabal

An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name Abhay Mahabal

Subscribed and sworn before me Tory Harman

This 4th day of April, 20 19

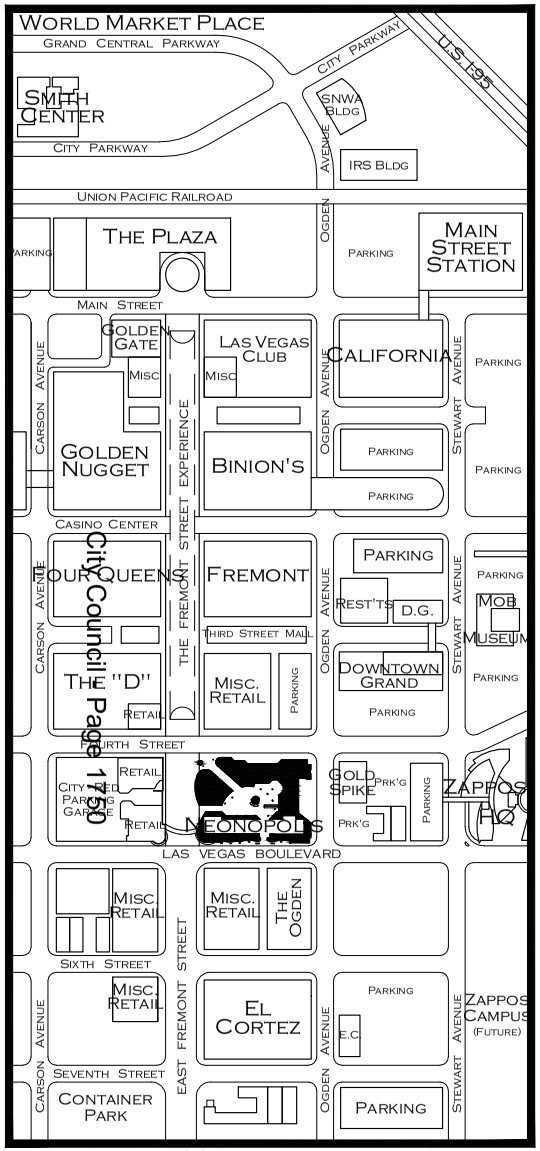
Tory Harman

Notary Public in and for said County and State of Nevada

Clark County

TORY HARMAN
NOTARY PUBLIC
STATE OF NEVADA
My Comm. Expires: 04-11-2020
Certificate No: 03-89990-1

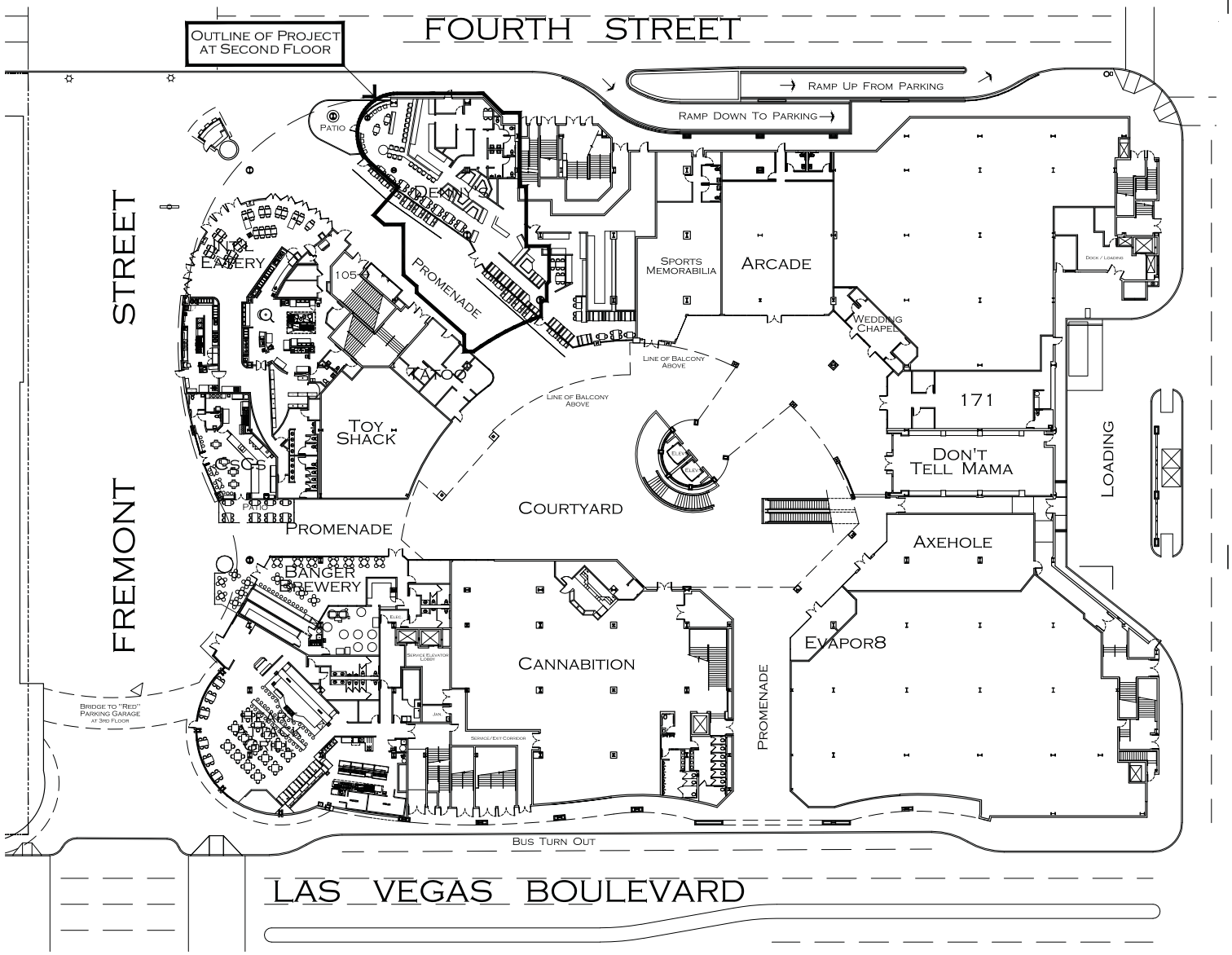
PRJ-75602
04/10/19



DOWNTOWN - LAS VEGAS

VICINITY MAP - NTS SCALE

City Council Page 175



NEONOPOLIS

at Fremont Street Experience

SITE PLAN / LEVEL ONE

Perlman ARCHITECTS

0 10 20 40

SCALE: 1" = 20'

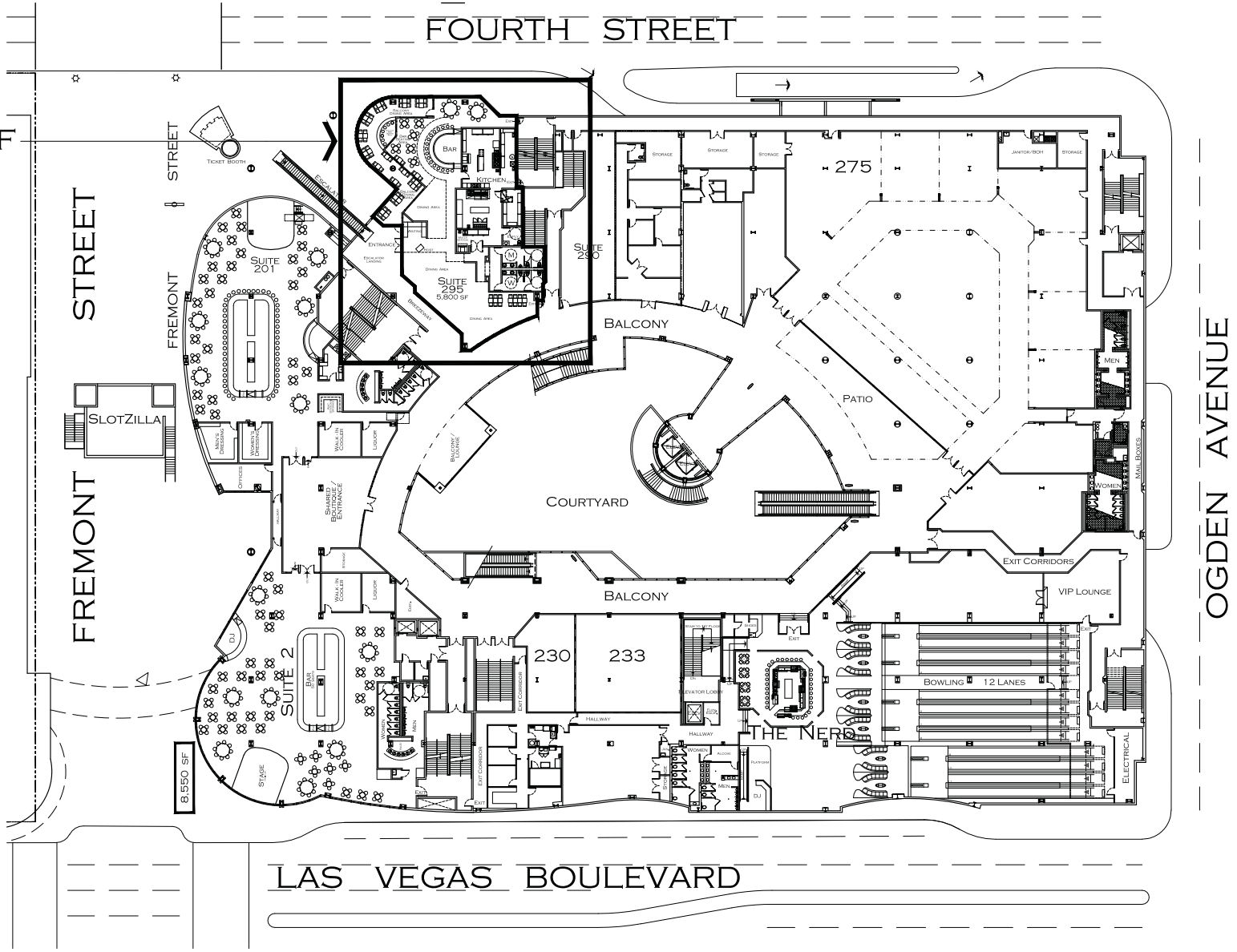
DATE: NOV. 7, 2018

PRJ-75602

04/18/19

Joshi & Associates

BOX DENOTES THE SUITE/AREA ON THE 2ND FLOOR, OF THIS APPLICATION



NEONOPOLIS at Fremont Street Experience

SUITE 295 - LEVEL 2

Perlman ARCHITECTS

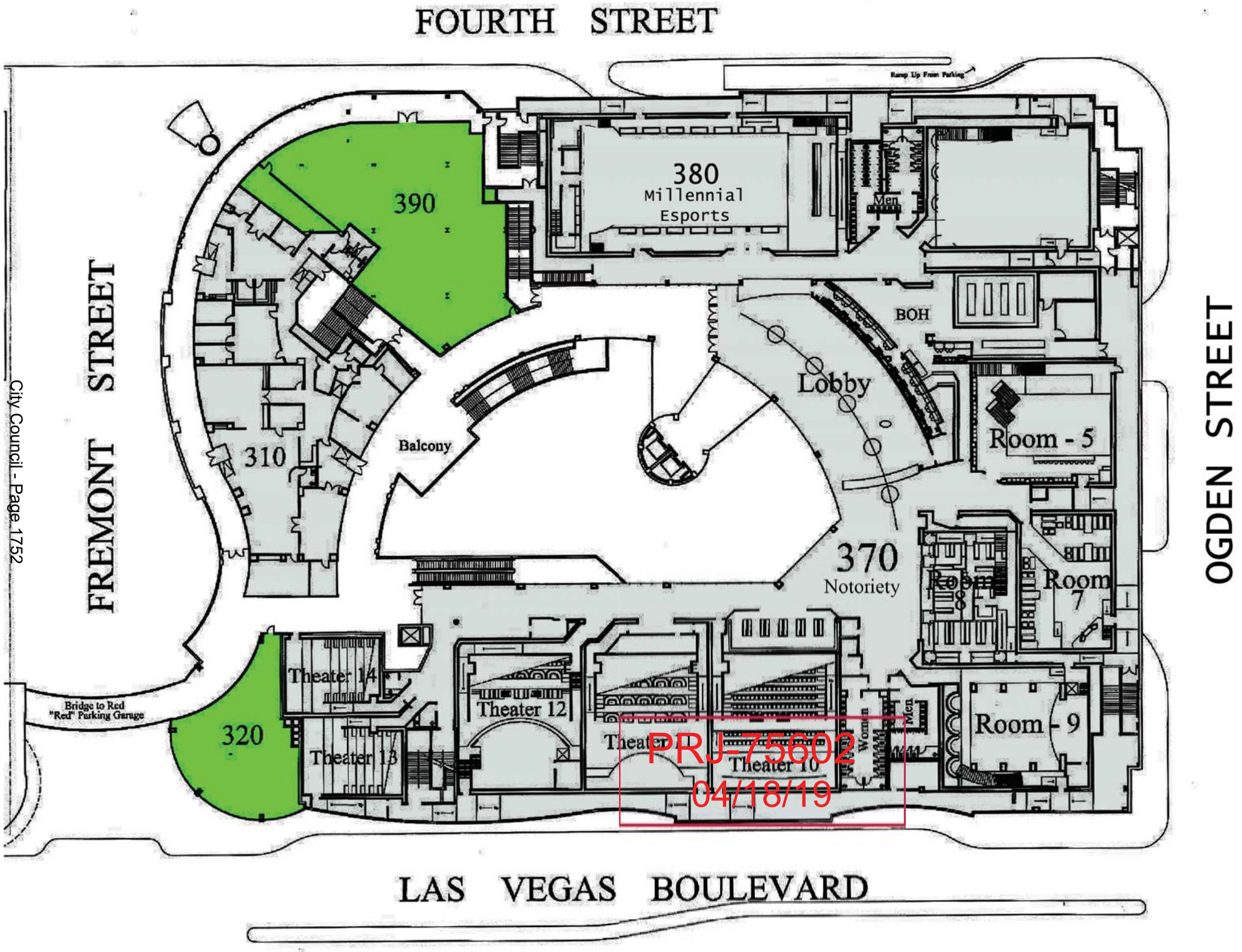
0 10 20 40

SCALE: 1" = 20'

DATE: NOV. 7, 2018

PRJ-73602
04/18/19

Joshi & Associates



PRJ-75602
04/18/19



SUP-76224 [PRJ-75602] - SPECIAL USE PERMIT - APPLICANT: TASTE OF AFRICA - OWNER: FAEC HOLDINGS WIRRULLA, LLC
450 FREMONT STREET, SUITE #295

04/15/19

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SUP-76224 [PRJ-75602] - SPECIAL USE PERMIT - APPLICANT: TASTE OF AFRICA - OWNER: FAEC HOLDINGS WIRRULLA, LLC
450 FREMONT STREET, SUITE #295

04/15/19

City

NEONOPOLIS
at Fremont Street Experience
450 Fremont Street, Suite # 370, Las Vegas, NV 89101
Phone : 702.243.0654 Fax : 702.671.0092

February 14, 2019

City of Las Vegas - Department of Planning
333 N. Rancho Drive
Las Vegas, NV 89106

RE: Taste of Africa
1. SUP – Liquor Establishment – Tavern-Limited

To Whom It May Concern:

With respect to Neonopolis and its new tenant, Taste of Africa (Suite 295 & 390) 2nd & 3rd floors, please accept this Letter of Justification, for a Liquor Establishment - Tavern-Limited.

The Tenant proposes operating a Restaurant and Bar on the 2nd Floor (Suite 295) with a Banquet/Event space on the 3rd Floor (Suite 390). Taste of Africa will occupy approx. 12,741 sf of new TI space plus two outdoor balcony spaces of approx. 1,254 sf for a total of 13,995 sf. The suite has never been built-out since the building's original construction (2001). Thus, there are not any prior Project or Plan Check numbers to reference.

The intended use of the Tenant/Suite is for a themed African Restaurant and Bar with an authentic feel for the culture, artifacts and food of Africa, there also will be an area for performers to play or sing. The upper level will be utilized for special events, such as receptions, banquets, corporate meetings/gatherings and the like.

The proposed Use/Business are compatible with the General Plan and suitable for the type and intensity being proposed. Streets and access should have no detrimental impacts from these Uses/Businesses and the approval of the Special Use Permit will not be inconsistent with the public health, safety, welfare or objectives of the General Plan.

The Neonopolis, Taste of Africa and this Suite are also a part of the following overlays:
Downtown Las Vegas Overlay – Resort & Casino District, Downtown Casino Overlay, Downtown Design Review Committee Area, Downtown Redevelopment Area, Live Work Overlay, Las Vegas Scenic Byway Overlay and Airport Overlay (200 feet). This Use is in compliance with all the overlay's requirements.

The business is conducive to the City's policy of adding more entertainment venues on Fremont Street, it is also adjacent to the Fremont East Entertainment District, it will significantly increase the limited space Downtown for live entertainment and the ability to draw audiences from across the Las Vegas area.

Public and employee parking is provided on-site within the City of Las Vegas Neonopolis Parking Garage (two levels below grade), additional Public parking can be found at the CLV's Red Garage (across Fremont St.) and two major RTC bus stops exist on both the east (LVB) and west (4th St.) side of Neonopolis adjacent to Fremont street.

Thank you for your consideration to approve these Special Use Permits necessary to occupy Suites 295 & 390.

Respectfully,

Loraine Kusuhara

Loraine Kusuhara
Neonopolis Management

PRJ-75602
04/10/19

7029333451

RECEIVED
CITY CLERK

2019 JUN 27 A 7:02

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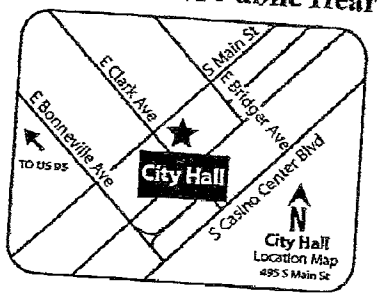
Permit No. 1630

Submitted after final agenda
Item 94

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-76224 [PRJ-75602]

City Council Meeting of **07/03/19**

PRJ-75602
13934210060
LAS VEGAS WEDDING BUREAU L L C
555 S 3RD ST
LAS VEGAS NV 89101-6501

87 DRDCNP1

Jun 26 19, 06:13p Vegas Weddings

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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2019 JUN 27 P 3:15

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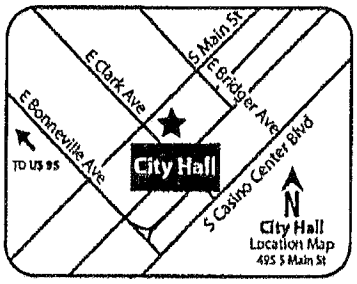

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-76224 [PRJ-75602]
City Council Meeting of **07/03/19**

PRJ-75602
13934510026
THREE TWENTY TWO L L C
5151 PROCYON ST #108
LAS VEGAS NV 89118-1713

115 ORDGNP1

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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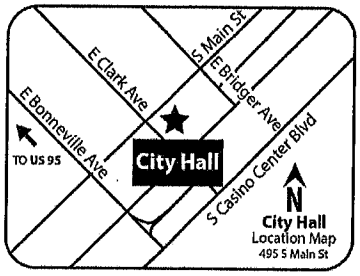

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[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-76224 [PRJ-75602]
City Council Meeting of **07/03/19**

PRJ-75602
13934613114
JEALT- OG L L C
%J E ANDREWS
8022 S RAINBOW BLVD #343
LAS VEGAS NV 89139

1 1 3 DRDCMP 1

City of Las Vegas
Office of The City Clerk
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Las Vegas, Nevada 89101

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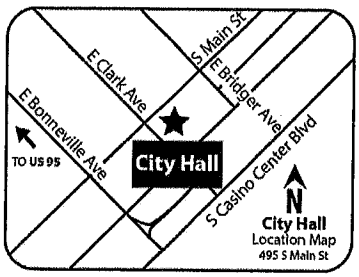

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[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-76224 [PRJ-75602]
City Council Meeting of **07/03/19**

PRJ-75602
13934613111
JEALT-OG L L C
%J E ANDREWS
8022 S RAINBOW BLVD #343
LAS VEGAS NV 89139

Submitted after final agenda
Item 84

1 1 3 DRDCMP 1

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE

Planning and Development Department
Case Planning Division
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106
(702) 229-6301 Phone (702) 464-7499 Fax

RECEIVED
MAY 2 1 2019
Dept of Planning
City of Las Vegas

CASE: **SUP-76224 [PRJ-75602] - SPECIAL USE PERMIT**

SUBJECT: APPLICANT: TASTE OF AFRICA - OWNER: FAEC HOLDINGS WIRRULLA, LLC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***MAY 28, 2019*** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to ***Nora Lares*** at ***(702)464-7499*** or e-mail to ***nlares@lasvegasnevada.gov***. If there is no one present at the Planning Commission meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any Planning Commissioner or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions and return to our office by 5:00PM ***THURSDAY, MAY 23, 2019.***

Signature

5|21|2019
Date

DHARMESH BHANABHAI
Please Print Name

FAEC HOLDINGS WIRRULLA, LLC
Company Name

Sincerely,

Eric McCammond
Sr. Management Analyst
Case Planning Division

Submitted after final agenda
Item #19

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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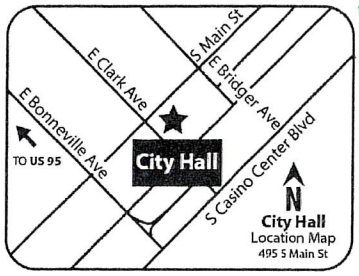

RECEIVED
MAY 2 3 2019
Dept of Planning
City of Las Vegas

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-76224 [PRJ-75602]

Planning Commission Meeting of **05/28/2019**

PRJ-75602
13934613114
JEALT- OG L L C
%J E ANDREWS
8022 S RAINBOW BLVD #343
LAS VEGAS NV 89139

113 DRDFNP1 89139

19P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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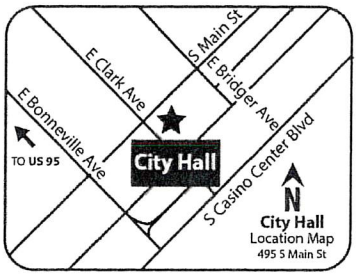

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MAY 23
Dept of Planning
City of Las Vegas

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-76224 [PRJ-75602]

Planning Commission Meeting of **05/28/2019**

PRJ-75602
13934613111
JEALT-OG L L C
%J E ANDREWS
8022 S RAINBOW BLVD #343
LAS VEGAS NV 89139

1 1 3 ORDFNP1 89139

19P

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
91

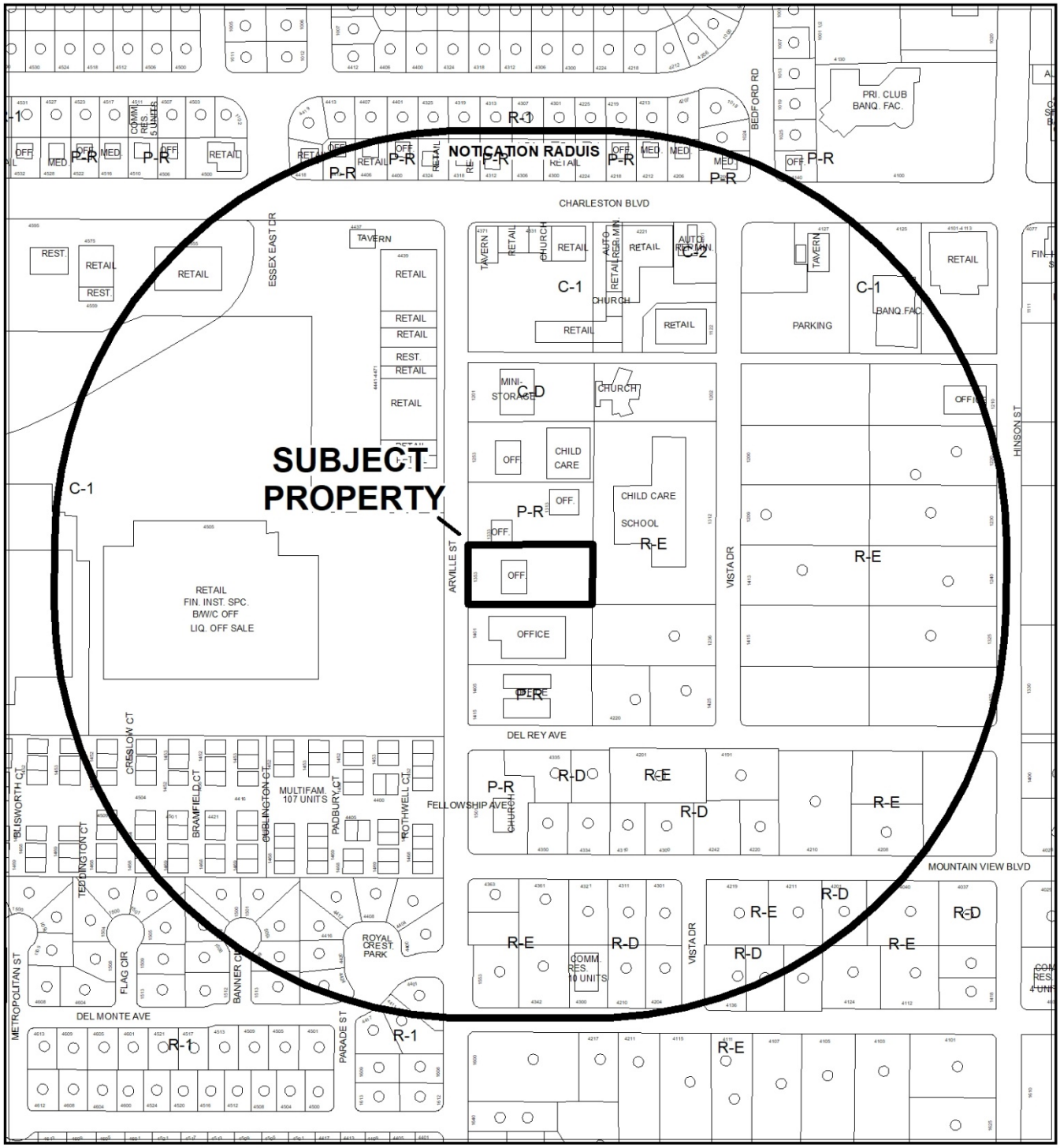
DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
ZON-76105 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: S. & D. GRAHAM PROPERTIES, LLC - For possible action on a request for a Rezoning FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-1 (LIMITED COMMERCIAL) on 1.00 acre at 1353 Arville Street (APN 162-06-510-015), Ward 1 (Tarkanian) [PRJ-76094]. The Planning Commission (5-0 vote) and Staff recommend APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	3	Planning Commission Mtg.	0
City Council Meeting	3	City Council Meeting	0

RECOMMENDATION:
The Planning Commission (5-0 vote) and Staff recommend APPROVAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Land Use Map
3. Staff Report
4. Supporting Documentation
5. Photo(s)
6. Justification Letter
7. Protest Postcard
8. Submitted after Final Agenda – Protect Postcards
9. Backup Submitted at the June 11, 2019 Planning Commission Meeting

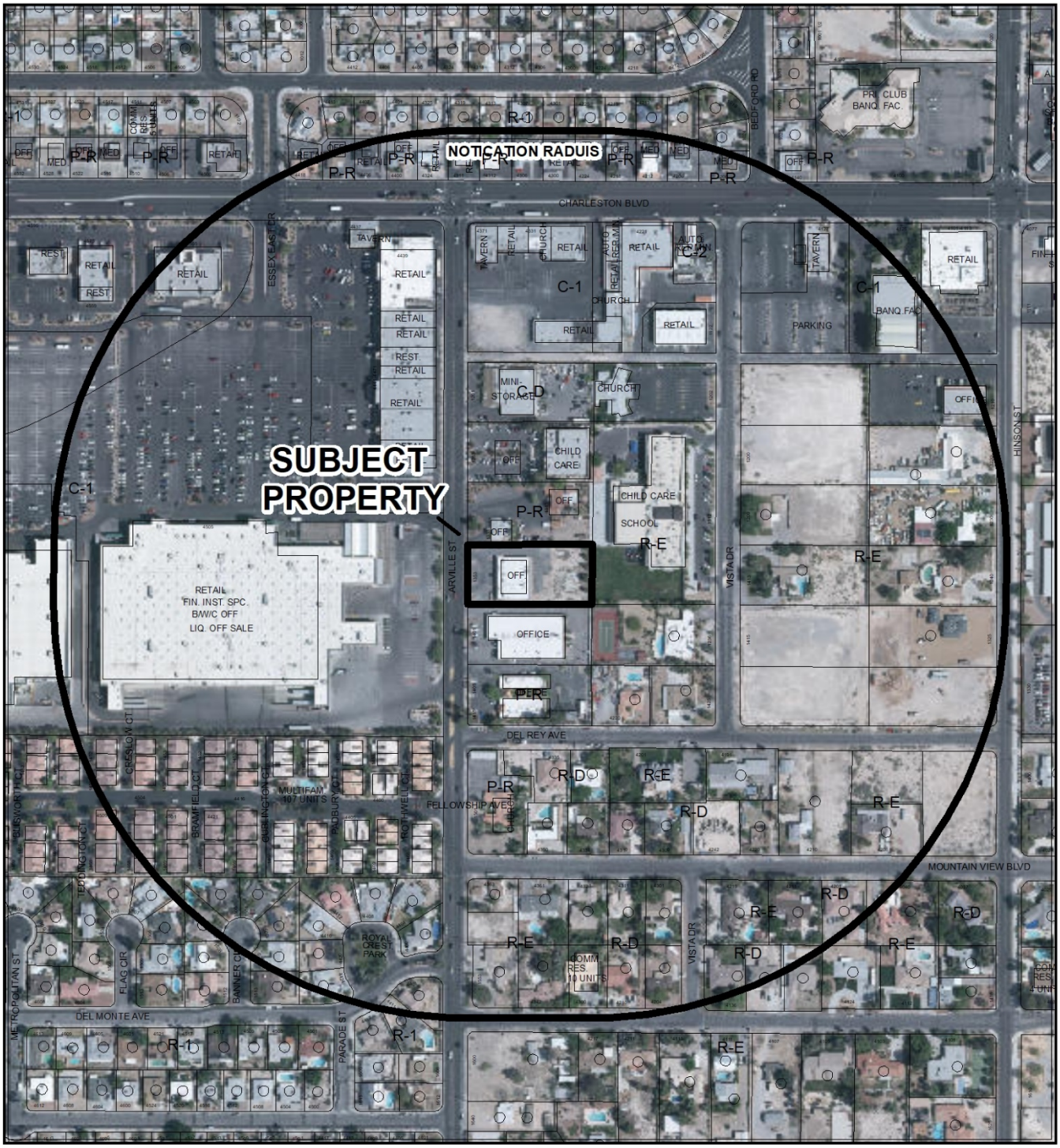


CASE: **ZON-76105 (PRJ-76094)**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

PROPOSED ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



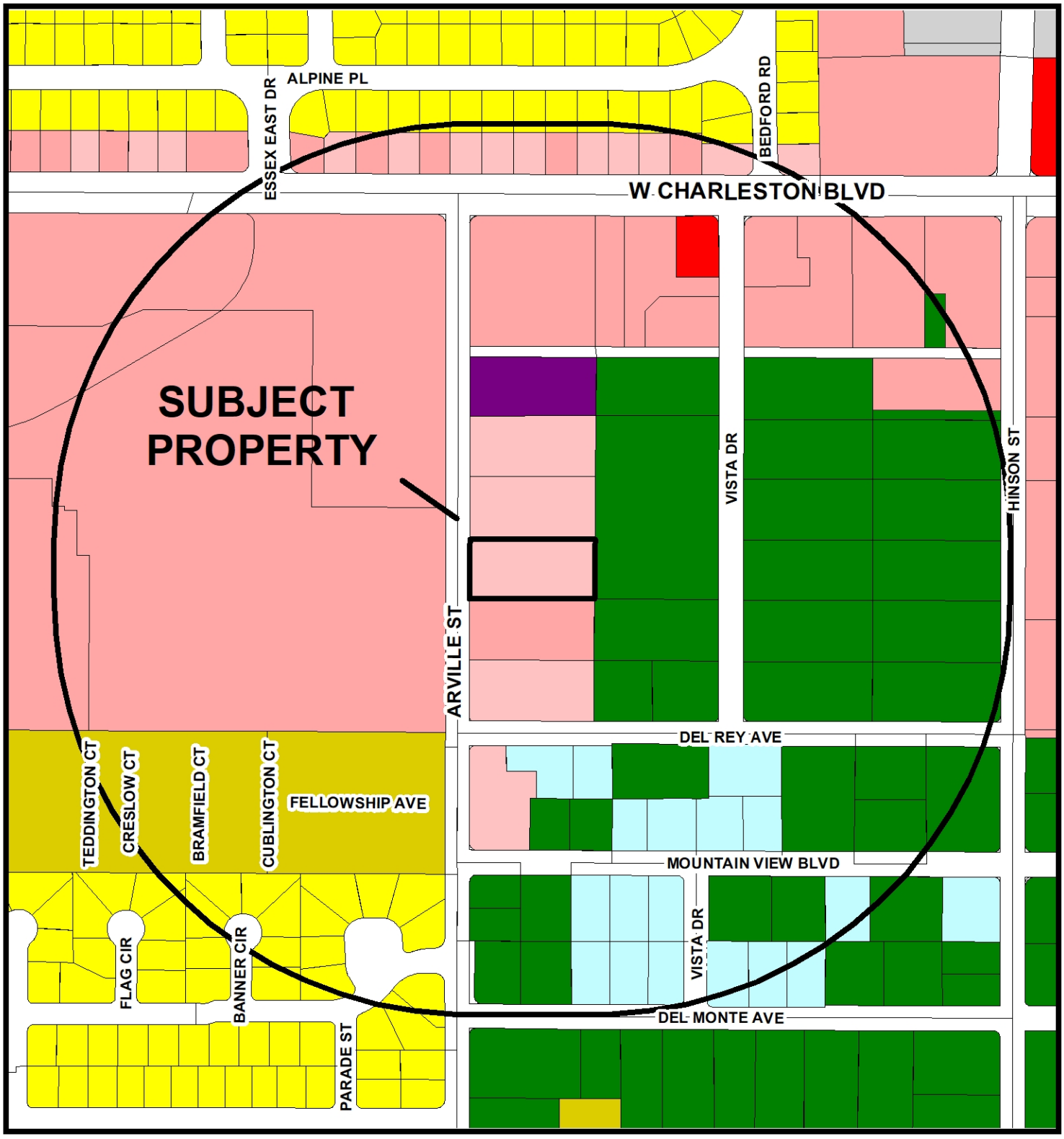
CASE: **ZON-76105 (PRJ-76094)**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

PROPOSED ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

ZON-76105



Zoning

- U - (GPA Designation) Undeveloped
- R-A - Ranch Acres
- R-E - Residence Estates
- R-D - Single Family Residential-Restricted
- R-PD - Residential Planned Development
- R-1 - Single Family Residential
- R-CL - Single Family Compact-Lot
- R-SL - Residential Small Lot
- R-TH - Single Family Attached
- R-2 - Medium-Low Density Residential
- R-3 - Medium Density Residential
- R-4 - High Density Residential
- R-5 - Apartment
- R-MH - Mobile/Manufactured Home Residence
- R-MHP - Residential Mobile/Manufactured Home Park
- T4-C - T4 Corridor
- T5-N - T5 Neighboorhood
- T5-M - T5 Maker
- T5-MS Main Street
- T5-C - T5 Corridor
- T6-UG - Urban Gerneral
- T6-UG-L -T6 Urban General Limited
- P-R - Professional Offices and Parking
- P-O - Professional Office
- N-S - Neighborhood Service
- O - Office
- C-D - Designed Commercial
- C-1 - Limited Commercial
- C-2 - General Commercial
- C-PB - Planned Business Park
- C-M - Commercial/Industrial
- M - Industrial
- C-V - Civic
- P-C - Planned Community
- T-D - Traditional Development
- PD - Planned Development
- TC - Town Center

P-R TO C-1

Subject Property

1000ft Buffer

City Limits

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Thursday, April 04, 2019

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: S. & D. GRAHAM PROPERTIES, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
ZON-76105	Staff recommends APPROVAL.	

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 22

NOTICES MAILED 222 (By City Clerk)

PROTESTS 3

APPROVALS 0

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant has requested a rezoning from P-R (Professional Office and Parking) to C-1 (Limited Commercial) at 1353 Arville Street.

ISSUES

- The applicant is requesting to rezone the subject site from P-R (Professional Office and Parking) to C-1 (Limited Commercial). Staff supports this request.

ANALYSIS

The subject parcel contains an existing General Retail (medical supplies) business within the P-R (Professional Office and Parking) zoning district with a General Plan designation of SC (Service Commercial). The P-R (Professional Office and Parking) zoning district is intended to allow office uses in areas that are predominantly residential but no longer suitable for the continuation of low density residential uses, and is consistent with the Office category in the General Plan. The current General Plan designation of SC (Service Commercial) allows for low to medium intensity retail, office or other commercial uses that serves the local community.

The applicant has proposed to rezone the subject site from P-R (Professional Office and Parking) to C-1 (Limited Commercial). The C-1 (Limited Commercial) zoning district is intended to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 (Limited Commercial) zoning district is consistent with the SC (Service Commercial) category of the General Plan.

The existing General Retail sales (medical supplies) use conducted on site is consistent with the proposed C-1 (Limited Commercial) zoning district. The existing building on the subject parcel will remain compliant with the setback requirements if the proposed Rezoning from P-R (Professional Office and Parking) to C-1 (Limited Commercial) is approved. Surrounding land uses contain a mix of office, retail, and educational land uses, consistent with C-1 (Limited Commercial) zoning district; as such, staff recommends approval of this Rezoning request.

FINDINGS (ZON-76105)

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

1. **The proposal conforms to the General Plan.**

   If approved, the proposed C-1 (Limited Commercial) zoning district conforms to the existing General Plan designation of SC (Service Commercial).

2. **The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.**

   Surrounding land uses include offices, a shopping center, and a school. The existing use on the subject site, a General Retail store (medical supplies) use, is permitted in the proposed C-1 (Limited Commercial) zoning district and is compatible with surrounding land uses.

3. **Growth and development factors in the community indicate the need for or appropriateness of the rezoning.**

   Growth and development factors in the community indicate the need for the subject site to be zoned C-1 (Limited Commercial) as the majority of the surrounding area is no longer used for residential and consist primarily of commercial zoning districts such as P-R (Professional Office and Parking) and C-1 (Limited Commercial).

4. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.**

   The subject site is accessed by Arville Street, a 53-foot wide Local Street, designated by the Master Plan of Streets and Highways, which is adequate to meet the needs of the proposed C-1 (Limited Commercial) zoning district.

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
02/06/85	The City Council denied a request for a Rezoning (Z-0098-84) from R-E (Residence Estates) to C-1 (Limited Commercial) at 1353 Arville Street. The Planning Commission recommended denial.
12/16/91	The City Council approved a request for a Rezoning (Z-0098-91) from R-E (Residence Estates) to P-R (Professional Office and Parking) at 1353 Arville Street. The Planning Commission recommended denial.
01/28/92	The Board of Zoning Adjustment approved a request for a Variance (V-0193-91) to allow the sale and service of medical equipment where such a use is not allowed at 1353 Arville Street.
05/14/19	The Planning Commission voted (5-0) to hold ZON-76105 [PRJ-76094] in abeyance to the June 11, 2019 Planning Commission meeting.
06/11/19	The Planning Commission unanimously voted to recommend APPROVAL on a request for a Rezoning (ZON-76105) FROM: P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-1 (LIMITED COMMERCIAL) on 1.00 acre at 1353 Arville Street (APN 162-06-510-015), Ward 1 (Tarkanian) [PRJ-76094].

Most Recent Change of Ownership	
05/06/03	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
04/30/93	A General License (G50-04653) was issued for General Retail Sales (Medical Supplies) at 1353 Arville Street. The license was inactive on 12/30/14.
02/11/15	A General License (G62-10532) was issued for General Retail Sales (Medical Supplies) at 1353 Arville Street. The license remains active.
03/10/16	A General License (G64-01486) was issued for General Retail Sales (Business Space Rent or Lease) at 1353 Arville Street. The license remains active.

Pre-Application Meeting	
03/19/19	A Pre-Application Meeting was conducted with the applicant to discuss the submittal requirements for a Rezoning request.

Neighborhood Meeting
A Neighborhood meeting was not required, nor was one held.

Field Check	
03/28/19	An existing medical supplies building was observed on the subject parcel during a routine field check. Nothing of concern was noted.

Details of Application Request	
Site Area	
Gross Acres	1.00

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	General Retail Sales	SC (Service Commercial)	P-R (Professional Office and Parking)
North	Office	SC (Service Commercial)	P-R (Professional Office and Parking)
South	Office	SC (Service Commercial)	C-1 (Limited Commercial)
East	Child Care	R (Rural – up to 3.59 du/ac)	R-E (Residence Estates)
West	Shopping Center	MXU (Mixed Use)	C-1 (Limited Commercial)

Master and Neighborhood Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Area and Overlay Districts	***Compliance***
A-O (Airport Overlay) District – 200 Feet	Y
RP-O (Rural Preservation Overlay) District	Y
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to 19.08.070, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Width	100 Feet	145 Feet	Y
Min. Setbacks			
• Front	10 Feet	81 Feet	Y
• Side (north)	10 Feet	33 Feet	Y
• Side (south)	10 Feet	10 Feet	Y
• Rear	20 Feet	129 Feet	Y

Existing Zoning	*Permitted Density*	*Units Allowed*
P-R (Professional Office and Parking)	N/A	N/A
Proposed Zoning	***Permitted Density***	***Units Allowed***
C-1 (Limited Commercial)	N/A	N/A

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Arville Street	Local Street	Title 13	58	Y

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) Rezoning

Project Address (Location) 1353 Arville Street

Project Name PRJ-76094 **Proposed Use**

Assessor's Parcel #(s) 162-06-510-015 **Ward #**

General Plan: Existing SC Proposed C-1 **Zoning:** Existing P-R Proposed C-1

Additional Information

Property Owner Darla and Scott Graham Contact Darla Graham
Address 8175 W. Pebble Rd City LV State NV Zip 89113
E-mail darla_graham@hotmail.com Phone (702) 354-6581

Applicant Darla Graham Contact Darla Graham
Address 8175 W. Pebble Rd City L.V. State NV Zip 89113
E-mail darla_graham@hotmail.com Phone (702) 354-6581

Representative Darla Graham Contact Darla Graham
Address 8175 W. Pebble Rd City LV. State NV Zip 89113
E-mail darla_graham@hotmail Phone (702) 354-6581

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes
☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official **Partner(s)**

Partner(s)

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature Darla J. Graham
An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name Darla J. Graham

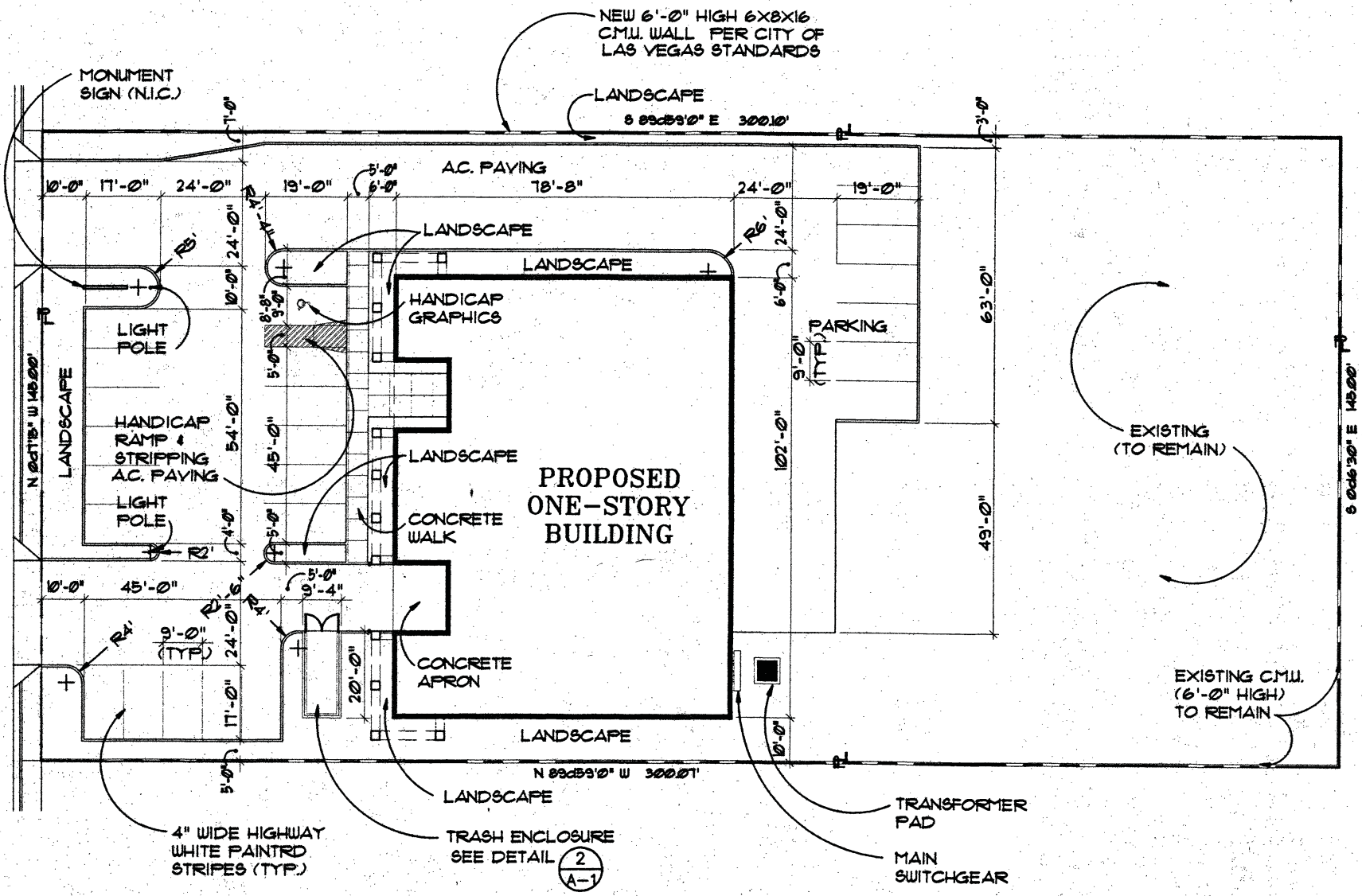
Subscribed and sworn before me

This 21st day of March, 20 19

Kimberly Somgynari
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KIMBERLY SOMGYNARI
Appt. No. 07-6394-1
My Appt. Expires June 10, 2019

PRJ-76094
04/04/19



1 A-1 **SITE PLAN**

1"=20'-0"

PRJ-76094
04/04/19



ZON-76105 [PRJ-76094] - REZONING - APPLICANT/OWNER: S. & D. GRAHAM PROPERTIES, LLC
1353 ARVILLE STREET

03/28/19

Cit

March 11, 2019

Dear Department of Planning,

We are writing to request a Rezoning for 1353 Arville Street. The property is currently zoned P-R (Professional Office and Parking) and we are proposing to Rezone the property to C-1 (Limited Commercial). The subject site has a General Plan Designation of SC (Service Commercial) which allows for the C-1 zone. The C-1 zone better suits the surrounding land uses and will allow for more businesses and use types to locate at the subject site.

We kindly request you consider our Rezoning application. Please contact us with any questions, comments, or concerns.

Sincerely,

Darla J Graham

Darla J Graham

702-354-6581

PRJ-76094
04/04/19

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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CITY CLERK
2019 JUL -2 A 11:19

Return Service Requested
Official Notice of Public Hearing



We oppose- another degradation to a residential neighborhood!

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ZON-76105 [PRJ-76094]
City Council Meeting of **JULY 17, 2019**

PRJ-76094
16206510036
MCGRATH THOMAS & ELIZABETH TRUST
MCGRATH THOMAS J & ELIZABETH J T
3075 WESTWIND RD
LAS VEGAS NV 89146-6858

97 ORDPNP1 89146

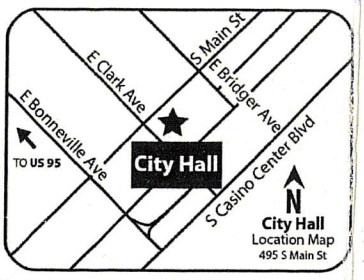
City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

LAS VEGAS
NV 890
05 JUL '19
RECEIVED
CITY CLERK

2019 JUL 11 A 11:39

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ZON-76105 [PRJ-76094]
City Council Meeting of **JULY 17, 2019**

PRJ-76094
13931411030
MICHALSKI JOHN LEO TRUST
MICHALSKI JOHN LEO TRS
4219 ALPINE PL
LAS VEGAS NV 89107-4207

97 DRDFNP1 89107

Submitted after final agenda

Item 91

PAGE 01
LUK
091-702-9148984
07/12/2019 12:52

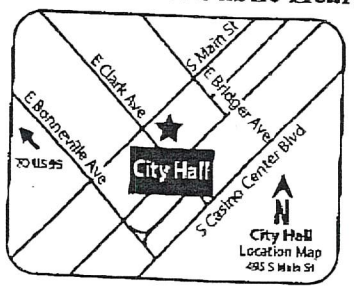
RECEIVED
CITY CLERK

2019 JUL 15 A 7:09

Submitted after final agenda
Item 91

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ZON-76105 [PRJ-76094]

City Council Meeting of **JULY 17, 2019**

PRSRT
FIRST CLASS MAIL
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PAID
Las Vegas, NV
Permit No. 1630

PRJ-76094
13931411037
LUK KAYE & DIANA
10313 POMPEI PL
LAS VEGAS NV 89144

131 ORDFNP1 89144

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE

Planning and Development Department
Case Planning Division
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106
(702) 229-6301 Phone (702) 464-7499 Fax

RECEIVED
JUN 10 2019
Dept of Planning
City of Las Vegas

CASE: ABEYANCE - ZON-76105 [PRJ-76094] - REZONING

SUBJECT: APPLICANT/OWNER: S. & D. GRAHAM PROPERTIES, LLC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***JUNE 11, 2019*** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to ***Nora Lares*** at ***(702)464-7499*** or e-mail to ***nlares@lasvegasnevada.gov***. If there is no one present at the Planning Commission meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any Planning Commissioner or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions and return to our office by 5:00PM ***MONDAY, JUNE 10, 2019.***

Darla J Graham
Signature

6/10/19
Date

Darla J. Graham
Please Print Name

S & D. Graham Properties
Company Name

Sincerely,

Eric McCammond
Sr. Management Analyst
Case Planning Division

Submitted after final agenda
Item 9

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
92

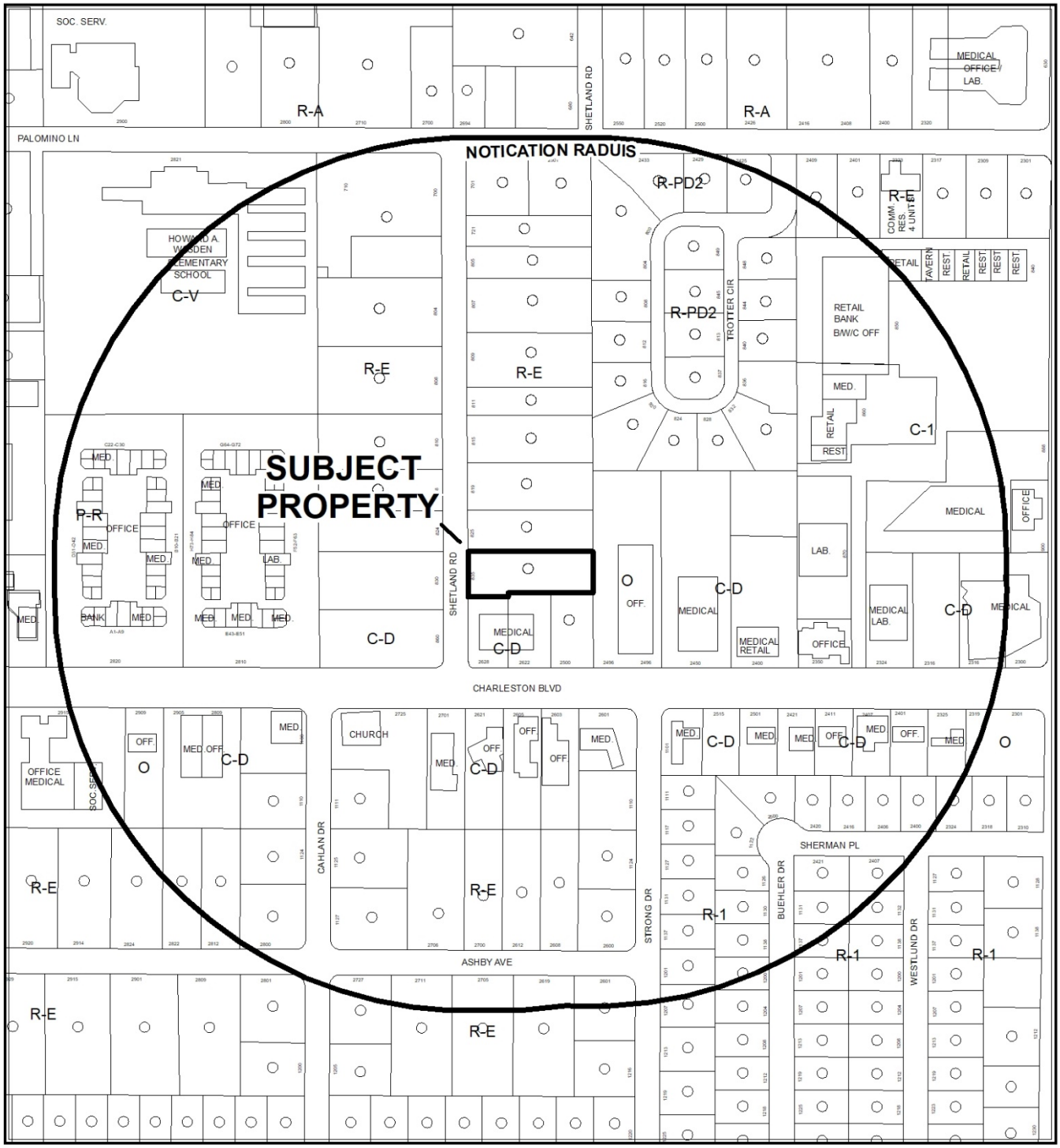
DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
VAR-75824 - VARIANCE - PUBLIC HEARING - APPLICANT: RAD MANAGEMENT, LLC - OWNER: DSRS PROPERTIES, LLC - For possible action on a request for a Variance TO ALLOW REDUCED LOT SIZES AND WIDTHS FOR THREE PROPOSED LOTS WHERE A 20,000 SQUARE-FOOT LOT SIZE AND A 100-FOOT LOT WIDTH ARE REQUIRED AND TO ALLOW A REAR YARD SETBACK OF 26 FEET WHERE 35 FEET IS THE MINIMUM REQUIRED on 0.70 acres at 835 Shetland Road (APN 139-32-802-025), R-E (Residence Estates) Zone, Ward 1 (Tarkanian) [PRJ-75738]. The Planning Commission (5-0 vote) and Staff recommend DENIAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	7	Planning Commission Mtg.	0
City Council Meeting	9	City Council Meeting	0

RECOMMENDATION:
The Planning Commission (5-0 vote) and Staff recommend DENIAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Abeyance Request Submitted by Russell Shah
3. Conditions and Staff Report
4. Supporting Documentation
5. Photo(s)
6. Justification Letter
7. Protest Postcards
8. Submitted after Final Agenda – Request to Move Forward with Abeyance Request, Request to Rescind Abeyance Request and Protest Postcards
9. Backup Submitted at the June 11, 2019 Planning Commission Meeting
10. Backup Submitted at the April 9, 2019 Planning Commission Meeting



0 275 550 Feet

CASE: **VAR-75824 (PRJ-75738)**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

N



CASE: **VAR-75824 (PRJ-75738)**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

Carman Burney

From: Eric McCammond
Sent: Thursday, June 20, 2019 11:58 AM
To: Carman Burney
Cc: Peter Lowenstein
Subject: FW: Request for Abeyance to August 21, 2019 City Council meeting

Carman,

FYI/A...

Thanks!!

Eric

Eric McCammond
Senior Management Analyst
Department of Planning | Case Planning Division
702.229.6196
333 N. Rancho Dr. 3rd Floor | Las Vegas, NV 89106
emccammond@lasvegasnevada.gov

From: doctorshah@yahoo.com <doctorshah@yahoo.com>
Sent: Thursday, June 20, 2019 11:41 AM
To: Eric McCammond <emccammond@LasVegasNevada.GOV>
Cc: manager@drpmnv.com; doctorshah@yahoo.com
Subject: Request for Abeyance to August 21, 2019 City Council meeting

EXTERNAL EMAIL

Good morning Mr. Eric McCammond

I have a scheduled July 17, 2019 hearing in front of the Las Vegas City Council to hear on a project with variances for two properties that I own. I do have a non refundable flight ticket and will be in Washington DC during that period. I will accompany my child out of State during that time.

I request that I am allowed to have the hearing for my project and variances be heard at a later date.

Respectfully, I request that an abeyance of VAR-75824 to the August 21, 2019 City Council occur.

Thank you for taking the time on assisting me to have the July 17, 2019 City council meeting for VAR-75824; PRJ-75824 be abey to the August 21, 2019 City Council meeting date.

If you have any questions and/or need verification of the flight /airline and /or hotel information that I truly am in another state , please do contact me on my cell 702-606-3246. I will be happy to provide any documentation and/or proof needed. Thank you again.

Sincerely,

Russell J Shah MD

On Wednesday, June 19, 2019, 12:28:56 PM PDT, Eric McCammond <emccammond@LasVegasNevada.GOV> wrote:

Good afternoon Dr. Shah,

I would be happy to accept your abeyance request but we also require the date you'd like to abey to. Abeyances are generally for 30 days which would be the August 21, 2019. If this is how you wish to proceed, please respond to this email stating "I request abeyance of VAR-75824 to the August 21, 2019 City Council".

Thanks,

Eric

Eric McCammond
Senior Management Analyst
Department of Planning | Case Planning Division
702.229.6196
333 N. Rancho Dr. 3rd Floor | Las Vegas, NV 89106
emccammond@lasvegasnevada.gov

-----Original Message-----
From: doctorshah@yahoo.com <doctorshah@yahoo.com>
Sent: Wednesday, June 19, 2019 11:50 AM
To: Eric McCammond <emccammond@LasVegasNevada.GOV>
Cc: doctorshah@yahoo.com; manager@drpmnv.com
Subject: July 17, 2019 abeyance of City Council meeting schedule hearing request

EXTERNAL EMAIL

Mr Eric Mc Cammond
Senior Management Analyst
Case Planning Division
City of Las Vegas
email: emccammond@lasvegasnevada.gov

RE: Change of schedule date hearing for the City Council meeting for the City of Las Vegas

Subject Abeyance - VAR-75824 (PRJ-75738) - Variance planning Commission meeting of June 11, 2019
To be considered by City of Las Vegas City Council schedule for July 17, 2019

Dear Mr. Eric Mc Cammond,

I have a pending variance hearing in front of the City of Las Vegas City Council scheduled at this time on July 17, 2019. Sandra Mc Dade spoke to you earlier today, and I am writing to have the hearing postponed to any meeting date with the city council other than July 17, 2019. I have had a non refundable airline ticket to accompany my child to the Washington DC capitol out of the State of Nevada between July 14, 2019 and returning on July 18, 2019. I am unable to attend the hearing on the property for the variance on July 17, 2019 with the City of Las Vegas. Respectfully, I am asking that an "abeyance" be granted such that a delay of the hearing date occur. I can at least have the opportunity to speak to the City of Las Vegas Council about the issue. Please at the very least inform the City of Las Vegas Council that I did want to attend the meeting but am unable to do so. Thank you for allowing the opportunity to request the "abeyance" of the scheduled hearing with the council.

Sincerely,

Russell J Shah MD
cell 702-606-3246

Property owner for both : 835 Shetland Avenue, Las Vegas, NV and also 2628 West Charleston Avenue, Las Vegas, NV

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: RAD MANAGEMENT, LLC - OWNER: DSRS PROPERTIES, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-75824	Staff recommends DENIAL, if approved subject to conditions:	

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 25

NOTICES MAILED 206 (By City Clerk)

PROTESTS 7

APPROVALS 0

CS

**** CONDITIONS ****

VAR-75824 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. The existing accessory structure on Lot 2 of the submitted site plan, date stamped 03/13/19, shall be demolished and removed prior to the recordation of a map.

3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to divide the subject parcel into 3 lots to allow a future mapping realignment. The lots fail to meet the minimum lot size and width requirements. The subject site is located at 835 Shetland Road.

ISSUES

- A Variance is requested to allow a lot size of 16,303 square feet where 20,000 square feet is the minimum required in the R-E (Residence Estates) zoning district. Staff does not support the request.
- A Variance is requested to allow a 26-foot rear yard setback where 35 feet is minimum required in the R-E (Residence Estates) zoning district. Staff does not support the request.
- A Variance is requested to allow a lot size of 13,844 square feet where 20,000 square feet is the minimum required in the R-E (Residence Estates) zoning district. Staff does not support the request.
- A condition of approval has been added to require the existing accessory structure on Lot 2 be demolished and removed prior to the recordation of any map.
- A Variance is requested to allow a lot size of 1,000 square feet where 20,000 square feet is the minimum required in the R-E (Residence Estates) zoning district. Staff does not support the request.
- A Variance is requested to allow a lot width of 10 feet where 100 feet is the minimum required in the R-E (Residence Estates) zoning district. Staff does not support the request.

ANALYSIS

The subject site is located within the R-E (Residence Estates) zoning district and is subject to Title 19 requirements. The applicant requests a Variance to split the subject parcel into three lots that fail to meet the minimum Title 19 requirements. Per the submitted justification letter, the future goal is to reconfigure the subject site in conjunction with two lots adjacent to the south (APNs: 139-32-802-027 and 028) in order to provide additional parking for the existing medical office uses. It will require several steps and entitlements in order to accomplish the proposed end result. If the subject Variance is approved, requests of a Parcel Map, General Plan Amendment, Rezoning and Site Development Plan Review must follow.

Per the submitted site plan, three lots are proposed that fail to meet the minimum Title 19 requirements. In particular, Lot 1, identified on the submitted site plan, date stamped 03/13/19, depicts a 16,303 square-foot lot size where the minimum is 20,000 square feet in the R-E (Residence Estates) zoning district. Lot 1 also depicts a 26-foot rear yard setback where 35 feet is the minimum required in the R-E (Residence Estates) zoning district. Lot 2, identified on the submitted site plan, date stamped 03/13/19, depicts a 13,844 square-foot lot size where the minimum is 20,000 square feet in the R-E (Residence Estates) zoning district. It also depicts an existing accessory structure that will create a nonconforming use if the requested Variance is approved. A condition of approval has been added that requires the existing accessory structure be demolished and removed prior to the recordation of a map. Lot 3, identified on the submitted site plan, date stamped 03/13/19, depicts a 1,000 square-foot lot size where the minimum is 20,000 square feet in the R-E (Residence Estates) zoning district. It also depicts a minimum lot width of 10 feet where 100 feet is required in the R-E (Residence Estates) zoning district.

The Las Vegas Valley Water District (LVVWD) submitted the following comment, “This parcel is served by a quasi-municipal well as part of the Shetland Mutual Water Association. NDEP would be the agency to approve the proposed parceling of this land. Recommend the owner provide written guidance.”

The subject site is also located within the Rancho Charleston Land Use Study Area. It was adopted in June of 2002 and was initiated to determine appropriate measures for neighborhood preservation of the subject area. The proposed future development of the subject site fails to meet Goal #1 of the Rancho Charleston Land Use Study, which states, “Protect the existing residential neighborhoods from any additional encroachment by commercial and/or office uses.” As such, staff recommends denial of the requested entitlement as it does not meet the minimum Title 19 development standards and does not align with the goals of the Rancho Charleston Lane Use Study Area. If the requested Variance is approved, it is subject to conditions.

FINDINGS (VAR-75824)

In accordance with the provisions of Title 19.16.140(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.”

Additionally, Title 19.16.140(L) states:

> "Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to create lots that don't conform to Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
11/15/78	The Board of City Commissioners approved a Rezoning (Z-0097-78) from R-E (Residence Estates) to C-D (Designed Commercial) with the proposed use of offices at 2622 West Charleston Boulevard.
05/28/91	The Planning Commission approved Plot Plan Building Elevation Reviews [Z-0018-68 (15)] and (Z-0097-78) for an office addition at 2622 and 2628 West Charleston Boulevard. Staff recommended approval.
10/07/15	Variance (VAR-61336) request to allow 29 parking spaces where 38 were previously approved was pulled from the Planning Commission agenda as it was determined the Variance was no longer needed due to the revision of the submitted site plan.
10/14/15	Planning Department Staff administratively approved Site Development Plan Review (SDR-61338) for a Minor Amendment of an approved Plot Plan Review [Z-0018-68(15)] to redesign the site circulation on 0.80 acres at 2622 and 2628 West Charleston Boulevard.
04/09/19	The Planning Commission voted (5-0) to hold in abeyance VAR-75824 [PRJ-75738] to the June 11, 2019 Planning Commission meeting.
06/11/19	The Planning Commission unanimously voted to recommend DENIAL on a request for a Variance (VAR-75824) TO ALLOW REDUCED LOT SIZES AND WIDTHS FOR THREE PROPOSED LOTS WHERE A 20,000 SQUARE-FOOT LOT SIZE AND A 100-FOOT LOT WIDTH ARE REQUIRED AND TO ALLOW A REAR YARD SETBACK OF 26 FEET WHERE 35 FEET IS THE MINIMUM REQUIRED on 0.70 acres at 835 Shetland Road (APN 139-32-802-025), R-E (Residence Estates) Zone, Ward 1 (Tarkanian) [PRJ-75738].

Most Recent Change of Ownership	
11/30/06	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
1947	The original building was constructed.
07/02/91	A building permit (#91112375) was issued for a building addition at 2622 West Charleston Boulevard. The permit expired on 01/02/92.
	A building permit (#91112374) was issued for on-site improvement at 2622 West Charleston Boulevard. The permit was finalized on 02/26/92.
07/30/91	A building permit (#91114808) was issued for a tenant improvement at 2622 West Charleston Boulevard. The permit was finalized on 10/21/91.
12/04/06	A business license (P55-009889) was issued for a Medical Office at 2628 West Charleston Boulevard. The license is active as of 10/06/15.
2/04/07	A business license (P55-01130) was issued for a Medical Firm at 2628 West Charleston Boulevard. The license is active as of 10/06/15.
03/21/08	A business license (P55-01156) was issued for a Medical Office at 2628 West Charleston Boulevard. The license is active as of 10/06/15.
04/05/12	A building permit (#256126) was issued for a tenant improvement at 2628 West Charleston Boulevard. The permit was finalized on 07/23/12.
06/14/12	A business license (C55-00451) was issued for a Clinic at 2628 West Charleston Boulevard. The license is active as of 10/06/15.
	A business license (P55-01763) was issued for a Medical Firm at 2628 West Charleston Boulevard. The license is active as of 10/06/15.
03/17/14	A building permit (#256126) was issued for a tenant improvement at 2628 West Charleston Boulevard. The permit was finalized on 06/23/14.

Pre-Application Meeting	
02/06/19	Planning Staff conducted a pre-application meeting where the submittal requirements and deadlines were reviewed for a proposed lot reconfiguration.

Neighborhood Meeting
A Neighborhood meeting was not required, nor was one held.

Field Check	
02/28/19	Staff conducted a routine field check and found an existing single-family dwelling. No issues were noted.

Details of Application Request	
Site Area	
Net Acres	0.70

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Single-Family, Detached	O (Office)	C-D (Designed Commercial)
North	Single-Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
South	Office, Medical or Dental	O (Office)	C-D (Designed Commercial)
	Church/House of Worship		
East	Vacant (Proposed Parking Structure)	O (Office)	O (Office)
West	Undeveloped	DR (Desert Rural Density Residential)	C-D (Designed Commercial)
	Single-Family, Detached	O (Office)	R-E (Residence Estates)

Master and Neighborhood Plan Areas	***Compliance***
Rancho Charleston Land Use Study	N*
Special Area and Overlay Districts	***Compliance***
A-O (Airport Overlay) District	Y
CD-O (Designed Commercial Overlay) District	Y
RP-O (Rural Preservation Overlay) District	Y
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

*The proposed future development fails to meet Goal #1 of the Rancho Charleston Land Use Study, which states, “Protect the existing residential neighborhoods from any additional encroachment by commercial and/or office uses.”

DEVELOPMENT STANDARDS

Pursuant to Title 19.06, the following standards apply (Lot 1):

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	20,000 SF	16,303 SF	N*
Min. Lot Width	100 Feet	100 Feet	Y
Min. Setbacks			
• Front	50 Feet	52 Feet	Y
• Side	10 Feet	11 Feet	Y
• Rear	35 Feet	26 Feet	N*

*The applicant has requested the subject Variance (VAR-75824) to allow a reduced lot size and rear yard setback.

Pursuant to Title 19.06, the following standards apply (Lot 2):

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	20,000 SF	13,844 SF	N*
Min. Lot Width	100 Feet	100 Feet	Y
Min. Setbacks			
• Front	50 Feet	36 Feet	N**
• Side	10 Feet	14 Feet	Y
• Rear	35 Feet	19 Feet	N**

*The applicant has requested the subject Variance (VAR-75824) to allow a reduced lot size.

**A condition of approval has been added that requires the existing accessory structure be demolished and removed prior to the recordation of a map.

Pursuant to Title 19.06, the following standards apply (Lot 3):

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	20,000 SF	1,000 SF	N*
Min. Lot Width	100 Feet	10 Feet	N*
Min. Setbacks			
• Front	50 Feet	N/A	N/A
• Side	10 Feet	N/A	N/A
• Rear	35 Feet	N/A	N/A

*The applicant has requested the subject Variance (VAR-75824) to allow a reduced lot size and lot width.

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Shetland Road	Local	Title 13	60 Feet	Y

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) Variance

Project Address (Location) 835 Shetland Rd

Project Name 835 Shetland Zone/Parking **Proposed Use**

Assessor's Parcel #(s) 139-32-802-025 **Ward #**

General Plan: Existing Proposed **Zoning:** Existing Proposed

Additional Information

Property Owner DSRS Properties LLC Contact Russell J. Shah MD

Address 10624 S. Eastern Ave # A-425 City Henderson State NV Zip 89052

E-mail doctorshah@yahoo.com Phone 702-606-3246

Applicant RAD Management LLC Contact Sandra McDade

Address 2628 W. Charleston Blvd City Las Vegas State NV Zip 89102

E-mail manager@drpmnv.com Phone 702-786-3727

Representative Jerry Miceli Contact Jerry Miceli

Address 3020 Phoenix Street City Las Vegas State NV Zip 89121

E-mail jmiceliarchitect@cox.net Phone 702-431-1241

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company? ☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official **Partner(s)**

Partner(s)

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature
An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name RUSSELL J. SHAH

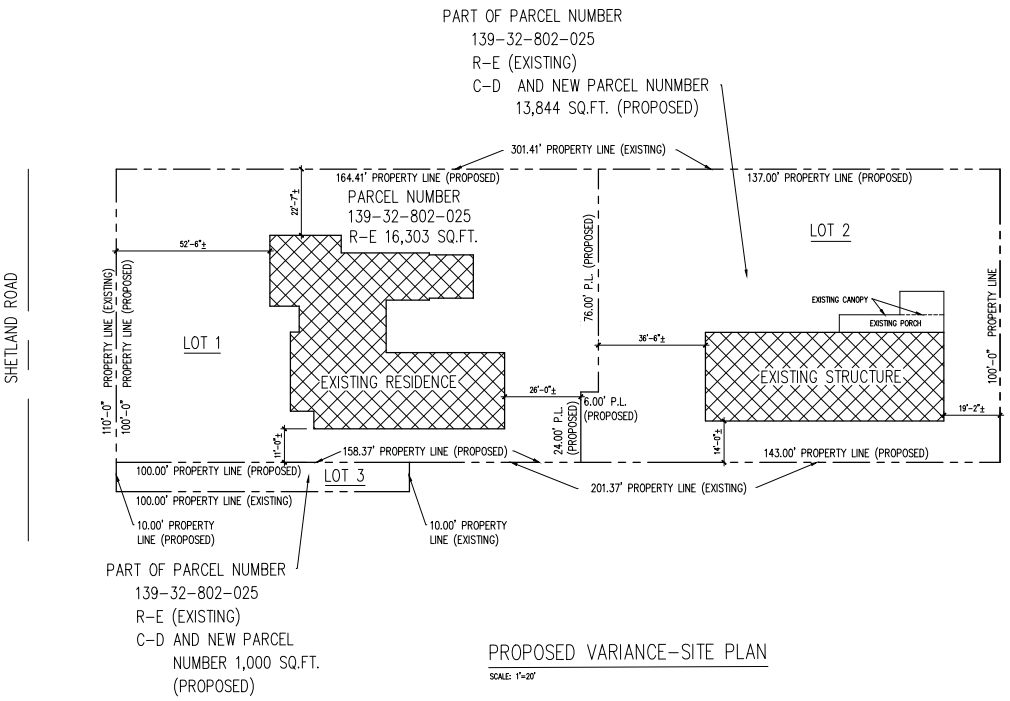
Subscribed and sworn before me

This 14th day of February, 20 19

Notary Public in and for said County and State

ANGELA GONZALEZ
Notary Public, State of Nevada
Appointment No. 18-3650-1
My Appt. Expires Sep 2, 2022

PRJ-75738
02/19/19

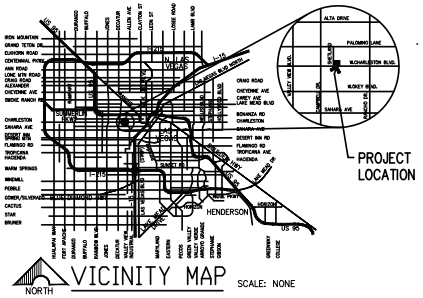


PROPOSED VARIANCE-SITE PLAN

SCALE: 1"=20'

PROJECT DATA

PARCEL NUMBER	139-32-802-025
TOTAL	31,147 SQ.FT±
EXISTING ZONING	R-E
PROPOSED ZONING:	
16,303 SQ.FT. (EXISTING RESIDENCE)	R-E
1,000 SQ.FT. (TO THE SOUTH AT SHETLAND)	C-D
13,844 SQ.FT. (TO THE EAST OF PROPERTY)	C-D



VICINITY MAP SCALE: NONE

PRJ-75738
03/13/19

JERRY MICELI REGISTERED ARCHITECT No. 2868 02-14-19 STATE OF NEVADA

Jerry Miceli
Architect
3020 Phoenix Street
Las Vegas, Nevada 89121
(702) 434-2424
jmicelliarchitect@cox.net

Proposed Proposed Variance
For Parcel Number
139-32-802-025

835 Shetland Road
Las Vegas Nevada 89102

Date: 02-14-19
Scale: As shown
Job No.: 19102
Revision:

This drawing is the sole property of the Architect. It may be prepared on any project or service for the owner only and may not be loaned, copied or be used on any other project. nor reproduced without the written consent of the architect. ©23.

Sheet Title / Location
SITE PLAN

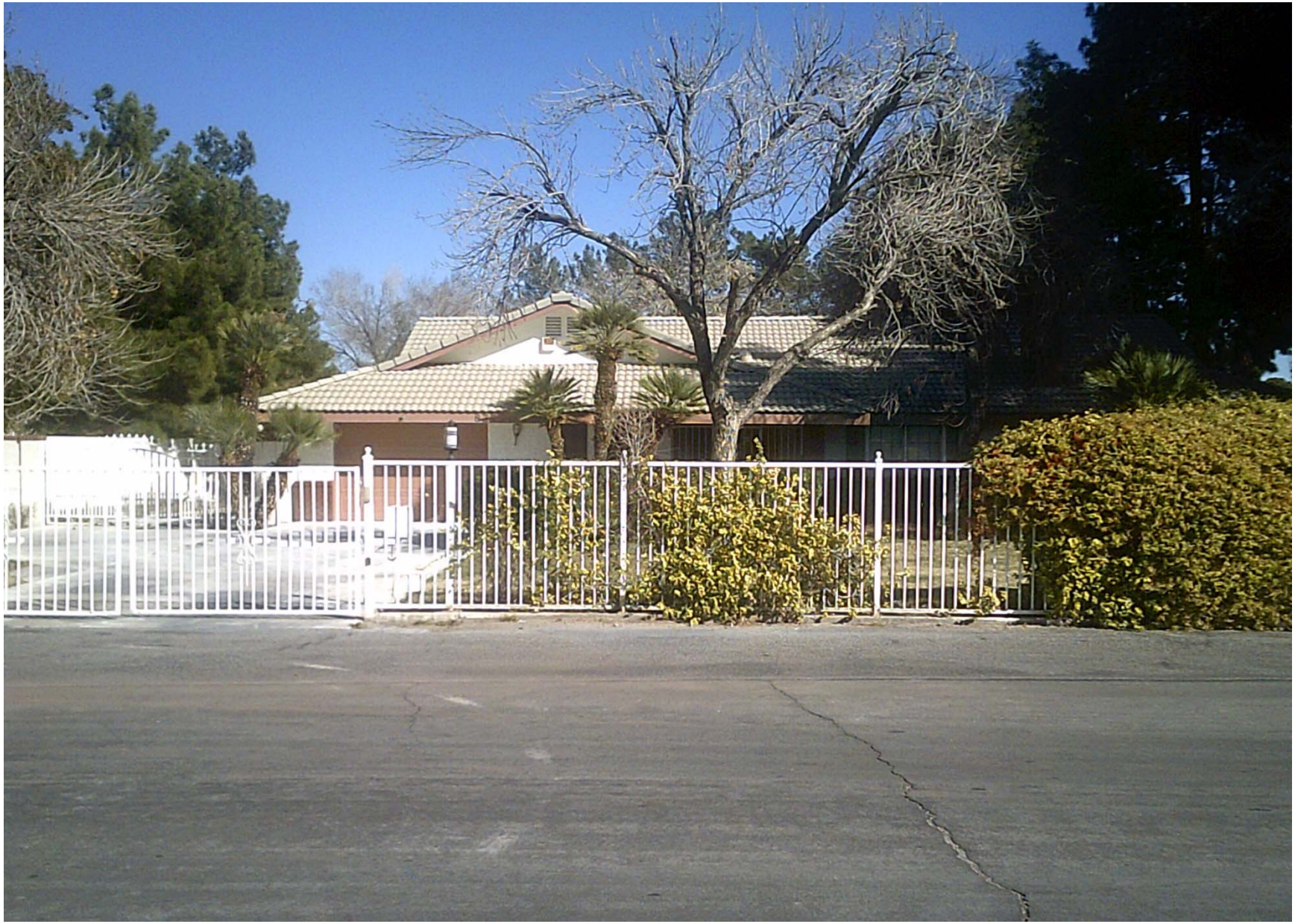
Sheet Number
A-1

Revision



VAR-75824 [PRJ-75738] - VARIANCE - APPLICANT: RAD MANAGEMENT, LLC - OWNER: DSRS PROPERTIES, LLC
835 SHETLAND ROAD

02/28/19



VAR-75824 [PRJ-75738] - VARIANCE - APPLICANT: RAD MANAGEMENT, LLC - OWNER: DSRS PROPERTIES, LLC
835 SHETLAND ROAD

02/28/19

Jerry Miceli

Architect

3020 Phoenix Street Las Vegas, Nevada 89121
Phone (702) 431-1241 jmicliarchitect@cox.net
Certificate Number 2868

February 14, 2019
City of Las Vegas Department of Planning
333 N. Rancho Drive,
Las Vegas, Nevada 89106

Re: Justification Letter

Proposed Variance for 835 Shetland Road, Parcel Number 139-32-802-025.
Divide the above Parcel into 3 Parcels and Rezone Two of them:
16,303 SQ.FT. with the existing residence to remain R-E.
1,000 SQ. FT. to the South at Shetland from R-E to C-D.
13,844 SQ.FT. to the East of the Property from R-E to C-D.

Reason for the above request:
Dr. Russell J Shah is the Owner of the above Parcel and also the owner of 2622-2628 West Charleston Blvd. Las Vegas, Nevada 89102. Parcel Numbers: 139-32-802-027 and 28 .

Future Proposal:

1) Re-design the site circulation for 2622-2628 W. Charleston Blvd.
The existing parking facility has a total of 4 handicapped spaces and none of them meet the City Standard. Based on the existing parking, only 2 H.C. parking spaces are required and most of the time they remain unused while the site has a shortage of parking. A car entering the site from Charleston going West will attempt to park on the one way going North , on the covered parking or on the one parking going West. In order to park along the Westside wall parking, must enter Shetland Road and re-enter the site on the South entrance near Charleston. A car from Shetland Road can enter the site on the entrance near Charleston, if there are no parking spaces, can not proceed to make right and attempt to park on the parking spaces on the North or East side of the site. The proposed 2 required handicapped spaces with the van facility meet the City Standard. With the proposed new striping a car going West on Charleston can drop a patient and then exit on Charleston. A car from Shetland Road can enter the site on the entrance near Charleston, if there are no parking spaces, can proceed and make right and proceed to find a parking space or exit on Charleston.
2) Request to Rezone 2 portions of Parcel Number 139-32-802-025 from R-E to C-D:
   a) 1000 Sq.Ft. to the South, at Shetland side. This will add 4 Parking spaces for 2622-2628 W. Charleston Building.
   b) 13,844 Sq. Ft. to the West of the Property. In this new Parcel there is an existing 2,430 Sq.Ft. Structure.
      Dr. Shah plans to renovate this structure and use for his medical office.
      Portion of the provided 13 parking spaces could be used for the staff parking of building 2622 and 2628 W. Charleston, since Dr. Shah never has 13 patients waiting at the same time.
      We respectfully request your approval on this application.

Sincerely,
Jerry Miceli R.A.

PRJ-75738
02/19/19

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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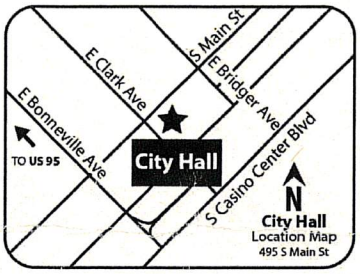


If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75824 [PRJ-75738]
City Council Meeting of **JULY 17, 2019**

PRJ-75738
16205510007
NEWBERRY DENNIS & SHIRLEY FAM TR
NEWBERRY DENNIS W & SHIRLEY TRS
1124 CAHLAN DR
LAS VEGAS NV 89102-2114

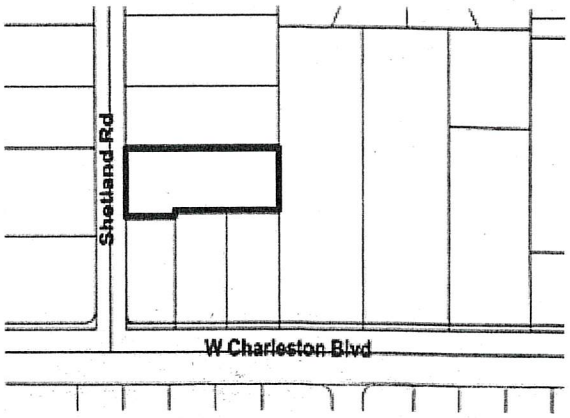
89 DROPNP1 89102

Application Information

VAR-75824 - VARIANCE - PUBLIC HEARING - APPLICANT: RAD MANAGEMENT, LLC - OWNER: DSRS PROPERTIES, LLC - For possible action on a request for a Variance TO ALLOW REDUCED LOT SIZES AND WIDTHS FOR THREE PROPOSED LOTS WHERE A 20,000 SQUARE-FOOT LOT SIZE AND A 100-FOOT LOT WIDTH ARE REQUIRED AND TO ALLOW A REAR YARD SETBACK OF 26 FEET WHERE 35 FEET IS THE MINIMUM REQUIRED on 0.70 acres at 835 Shetland Road (APN 139-32-802-025), R-E (Residence Estates) Zone, Ward 1 (Tarkanian) [PRJ-75738]. The Planning Commission (5-0 vote) and Staff recommend DENIAL.

WE SUPPORT THE PLANNING COMMISSION'S RECOMMENDED DENIAL & OPPOSE THIS REQUEST.

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	JULY 17, 2019
Location:	City Council Chambers 495 South Main St, 2nd Fl. Las Vegas, Nevada
Not to be heard before:	11:00AM

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 2nd Floor, City Hall, 495 South Main Street, Las Vegas, Nevada, 89101. For further information, go to www.lasvegasnevada.gov or call (702) 229-6311 (TTY 7-1-1). **Note that postcards and comments received after an agenda posts will not be reflected online until after the meeting; however, the comments are made available to the members of the governing body for their consideration prior to the meeting.**

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Las Vegas, Nevada 89101

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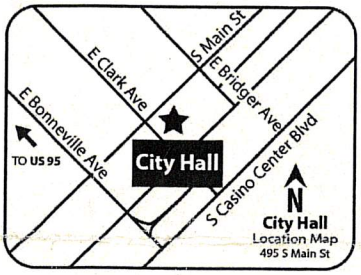

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75824 [PRJ-75738]
City Council Meeting of **JULY 17, 2019**

PRJ-75738
16205510008
NEWBERRY DENNIS & SHIRLEY FAM TR
NEWBERRY DENNIS W & SHIRLEY TRS
1124 CAHLAN DR
LAS VEGAS NV 89102-2114

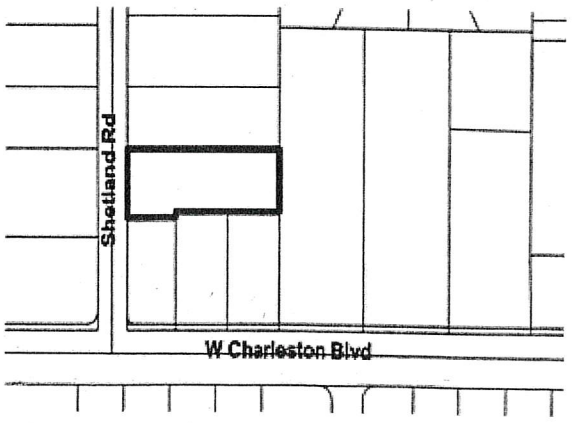
89 ORDFNP1 89102

Application Information

VAR-75824 - VARIANCE - PUBLIC HEARING - APPLICANT: RAD MANAGEMENT, LLC - OWNER: DSRS PROPERTIES, LLC - For possible action on a request for a Variance TO ALLOW REDUCED LOT SIZES AND WIDTHS FOR THREE PROPOSED LOTS WHERE A 20,000 SQUARE-FOOT LOT SIZE AND A 100-FOOT LOT WIDTH ARE REQUIRED AND TO ALLOW A REAR YARD SETBACK OF 26 FEET WHERE 35 FEET IS THE MINIMUM REQUIRED on 0.70 acres at 835 Shetland Road (APN 139-32-802-025), R-E (Residence Estates) Zone, Ward 1 (Tarkanian) [PRJ-75738]. The Planning Commission (5-0 vote) and Staff recommend DENIAL.

We Support the Planning Commission's Recommended Denial & Oppose this Request.

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

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Date:	JULY 17, 2019
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City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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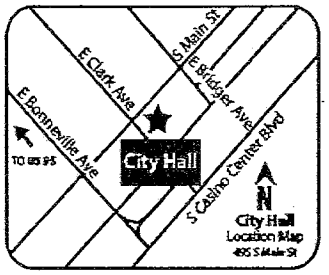
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75824 [PRJ-75738]
City Council Meeting of **JULY 17, 2019**

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PRJ-75738
13932810010
GARCIA MARIO A & ELSA P
824 TROTTER CIR
LAS VEGAS NV 89107-4501

97 DRDFNP1 89107

Jul.01.2019 09:49 AM, Garcia 7022581989 PAGE. 1/ 1

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Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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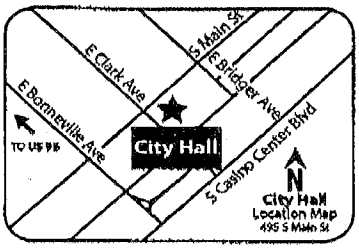

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2019 JUL -1 A 11:06

PRJ-75738
13932810022
PALOMINO GARDENS HOMEOWNERS ASSN
824 TROTTER CIR
LAS VEGAS NV 89107-4501

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75824 [PRJ-75738]
City Council Meeting of **JULY 17, 2019**

City of Las Vegas
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495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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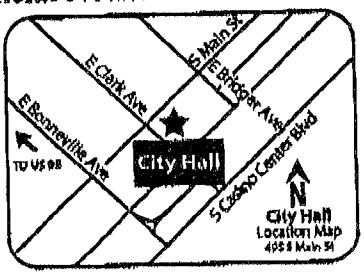

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

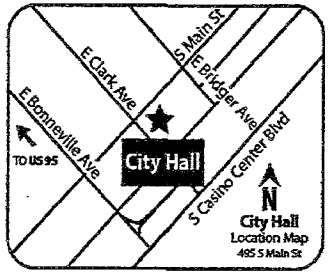
VAR-75824 [PRJ-75738]
City Council Meeting of **JULY 17, 2019**

PRJ-75738
16205512017
CAVARETTA JOSEPH & GILDA D
1127 CAHLAN DR
LAS VEGAS NV 89102-2113

03/23/2019 04:40 17022569588 CDC INC

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75824 [PRJ-75738]

City Council Meeting of **JULY 17, 2019**

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PRJ-75738
16205511001
REZA JAMES P & STACI D
1201 STRONG DR
LAS VEGAS NV 89102-2100

89 ORDFNP1 89102

PAGE 01/01

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

Nora Lares

From: noreply@formstack.com
Sent: Monday, June 10, 2019 10:54 AM
To: Planning Comments
Subject: Planning Application Comments Form

EXTERNAL EMAIL

formstack

Formstack Submission For: Planning Application Comments 2019
Submitted at 06/10/19 10:53 AM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	PRJ75738
Position:	I OPPOSE the project and all related applications.
Name:	Charles Gronbach
Residential or Business Address:	642 Shetland Road Las Vegas, NV 89107
Phone:	(702) 877-6947
Email:	amgronbach@earthlink.net
Comments:	I am opposed to moving the residential border to allow commercial uses. This request would be a combination of residential and business in a residential only zone.

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Submitted after final agenda

13P

Nora Lares

From: noreply@formstack.com
Sent: Monday, June 10, 2019 3:04 PM
To: Planning Comments
Subject: Planning Application Comments Form

EXTERNAL EMAIL

formstack

Formstack Submission For: Planning Application Comments 2019
Submitted at 06/10/19 3:03 PM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	PRJ-75738
Position:	I OPPOSE the project and all related applications.
Name:	Tamara Townsend
Residential or Business Address:	820 Trotter Circle Las Vegas , NV 89107
Phone:	(702) 808-7187
Email:	taamara@aol.com
Comments:	I live a couple of lots over from the rear of this property. My backyard is very close as I'm located in the rear corner of the care center. I strongly oppose the creation of 3 parcels on one lot. I've already been subjected to the approval of the 24 hour care center to my left with trees that block my strip view and allow homeless to access my rear yard. I've had tools stolen and an attempt to steal my pool equipment in just the past 2 months. I would like this neighborhood to remain fully residential as initially intended. I

BP
Pg 1 of 2

purchased this home believing the homes on Shetland would remain residential. An introduction of commercial would damage the feel of the neighborhood and cause harm to the existing property owners nearby. Thank you.

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

13
pg 2 of 2

Nora Lares

From: noreply@formstack.com
Sent: Monday, June 10, 2019 4:28 PM
To: Planning Comments
Subject: Planning Application Comments Form

EXTERNAL EMAIL

formstack

Formstack Submission For: Planning Application Comments 2019
Submitted at 06/10/19 4:28 PM

Meeting Date:	Tuesday, June 11, 2019
Project Number:	PRJ-75738
Position:	I OPPOSE the project and all related applications.
Name:	Mario Garcia
Residential or Business Address:	824 Trotter Circle Las Vegas, NV 89107
Phone:	(702) 302-7927
Comments:	Keep the property residential, single-family, as one parcel the way it has been for well over 40 years. The owner of the medical office knew full well what the existing zoning was and gambled that he could change it to suit his business interests. The business operates beyond normal 8 am to 5 pm hours and has done so for a long time, likely in violation of the zoning for that property. Parking for customers of his business park in front of several of the residential properties north along Shetland. It is a nuisance. The City seems to often grant waivers of required on-site parking and neglects to enforce whatever rules exist. Please

13P
Pg 1 of 2

preserve the quality of life for the residents of this area and deny this request, it has little to no merit.

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

13
Pg 2 of 2

Russell J Shah
2628 West Charleston Avenue
Las Vegas, NV 89102
Cell (702) 606-3246
email: doctorshah@yahoo.com

Mr. Eric Mc Cammond
Senior Management Analyst
Case Planning Division
City of Las Vegas
email: emccammond@lasvegasnevada.gov
(702) 229-6196

RE: Request to continue abeyance request and rerequest the abeyance

SUB: VAR-75824 (PRJ-75738) - Variance planning Commission held on June 11, 2019 and Under City of Las Vegas Council on July 17, 2019

Dear Mr. Eric Mc Cammond,

Please accept this letter as a re-request my abeyance request for the item being heard tomorrow on July 17, 2019 for the VAR-75826 (PRJ-75738) - item #92 on the current agenda (subject to change). The property is for 3 variances located at 835 Shetland Avenue, Las Vegas, NV.

Please continue my abeyance request again and the previous email /letter to request to rescind is to be cancel.

Sincerely,

Russell J Shah 11:35 am on 7/16/2019

Submitted after final agenda

AGENDA ITEM #92
RECEIVED 07.16.19

Russell J Shah
2628 West Charleston Avenue
Las Vegas, NV 89102
Cell (702) 606-3246
email: doctorshah@yahoo.com

Mr. Eric Mc Cammond
Senior Management Analyst
Case Planning Division
City of Las Vegas
email: emccammond@lasvegasnevada.gov
(702) 229-6196

RE: Request to rescind abeyance request

SUB: VAR-75824 (PRJ-75738) - Variance planning Commission held on June 11, 2019 and Under City of Las Vegas Council on July 17, 2019

Dear Mr. Eric Mc Cammond,

Please accept this letter as a request to rescind my abeyance request for the item being heard tomorrow on July 17, 2019 for the VAR-75826 (PRJ-75738) - item #92 on the current agenda (subject to change). The property is for 3 variances located at 835 Shetland Avenue, Las Vegas, NV.

I am in the Las Vegas, NV area and not in Washington DC, and I am available. I believe all neighbors to the best of my knowledge were notified. Please put the item back on agenda if possible. Thank you very much for your assistance

Sincerely,

Russell J Shah 7/16/19

Russell J Shah

Submitted after final agenda

AGENDA ITEM #92
RECEIVED 07.16.19

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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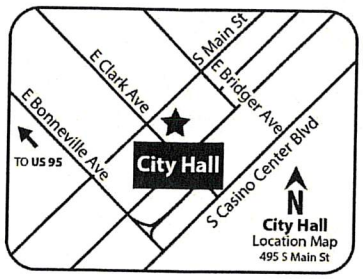
2019 JUL 16 A 11:54



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75824 [PRJ-75738]
City Council Meeting of **JULY 17, 2019**

PRJ-75738
13932802021
ANDRASFAY CHRISTOPHER M
825 SHETLAND RD
LAS VEGAS NV 89107-4519

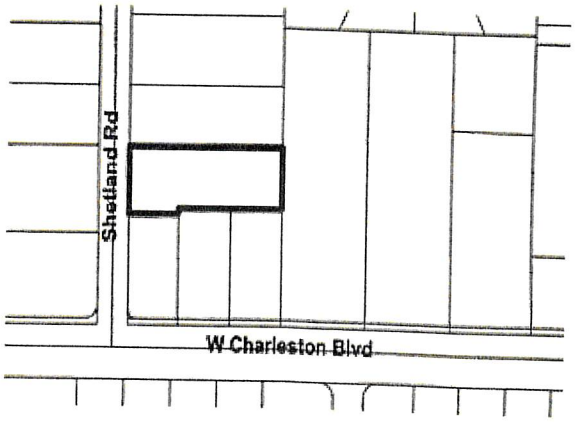
97 DRDFNP1 89107

Application Information

VAR-75824 - VARIANCE - PUBLIC HEARING - APPLICANT: RAD MANAGEMENT, LLC - OWNER: DSRS PROPERTIES, LLC - For possible action on a request for a Variance TO ALLOW REDUCED LOT SIZES AND WIDTHS FOR THREE PROPOSED LOTS WHERE A 20,000 SQUARE-FOOT LOT SIZE AND A 100-FOOT LOT WIDTH ARE REQUIRED AND TO ALLOW A REAR YARD SETBACK OF 26 FEET WHERE 35 FEET IS THE MINIMUM REQUIRED on 0.70 acres at 835 Shetland Road (APN 139-32-802-025), R-E (Residence Estates) Zone, Ward 1 (Tarkanian) [PRJ-75738]. The Planning Commission (5-0 vote) and Staff recommend DENIAL.

WE AGREE WITH THE PLANNING COMMISSION'S AND STAFF'S RECOMENDATION OF DENIAL – WE OPPOSE THIS VARIANCE KEEP RESIDENTIAL ZONES INTACT

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	JULY 17, 2019
Location:	City Council Chambers 495 South Main St, 2nd Fl. Las Vegas, Nevada
Not to be heard before:	11:00AM

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 2nd Floor, City Hall, 495 South Main Street, Las Vegas, Nevada, 89101. For further information, go to www.lasvegasnevada.gov or call (702) 229-6311 (TTY 7-1-1). **Note that postcards and comments received after an agenda posts will not be reflected online until after the meeting; however, the comments are made available to the members of the governing body for their consideration prior to the meeting.**

Submitted after final agenda

Item 93

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

LAS VEGAS
NV 890
03 JUL '19
PM 3 RECEIVED
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2019 JUL 10 A 11:36

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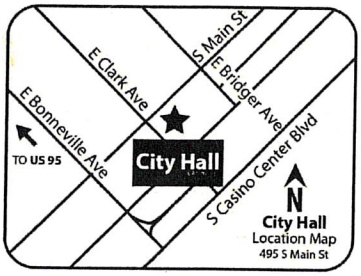
Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75824 [PRJ-75738]

City Council Meeting of **JULY 17, 2019**

PRJ-75738
13932810001
BLUE CORVETTE TRUST
COSTA SANDRA TRS
2425 PALOMINO LN
LAS VEGAS NV 89107

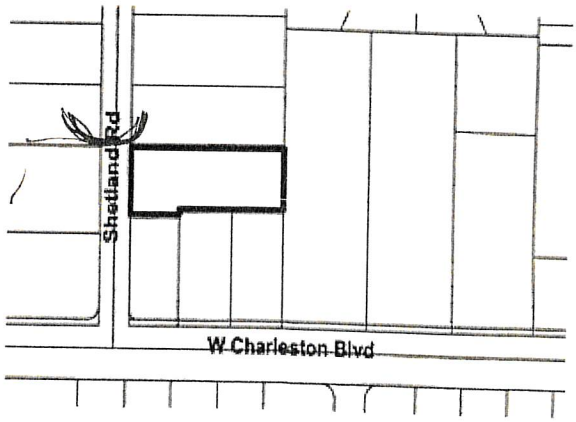
97 ORDFMP1 89107

Application Information

VAR-75824 - VARIANCE - PUBLIC HEARING - APPLICANT: RAD MANAGEMENT, LLC - OWNER: DSRS PROPERTIES, LLC - For possible action on a request for a Variance TO ALLOW REDUCED LOT SIZES AND WIDTHS FOR THREE PROPOSED LOTS WHERE A 20,000 SQUARE-FOOT LOT SIZE AND A 100-FOOT LOT WIDTH ARE REQUIRED AND TO ALLOW A REAR YARD SETBACK OF 26 FEET WHERE 35 FEET IS THE MINIMUM REQUIRED on 0.70 acres at 835 Shetland Road (APN 139-32-802-025), R-E (Residence Estates) Zone, Ward 1 (Tarkanian) [PRJ-75738]. The Planning Commission (5-0 vote) and Staff recommend DENIAL.

Historic neighborhood needs to be preserved. Maybe if street was closed off? Privatized? Leaving access for emergency vehicles and school busses

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	JULY 17, 2019
Location:	City Council Chambers 495 South Main St, 2nd Fl. Las Vegas, Nevada
Not to be heard before:	11:00AM

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 2nd Floor, City Hall, 495 South Main Street, Las Vegas, Nevada, 89101. For further information, go to www.lasvegasnevada.gov or call (702) 229-6311 (TTY 7-1-1). **Note that postcards and comments received after an agenda posts will not be reflected online until after the meeting; however, the comments are made available to the members of the governing body for their consideration prior to the meeting.**

Submitted after final agenda
Item 92

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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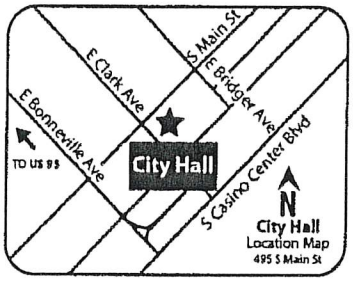

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75824 [PRJ-75738]

City Council Meeting of **JULY 17, 2019**

PRJ-75738
16205510023
MCSWAIN FAMILY TRUST
MCSWAIN EDWARD LAWRENCE & LAURA
2727 ASHBY AVE
LAS VEGAS NV 89102

89 DRDFNP1 89102

Submitted after final agenda

Item 92

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

LAS VEGAS
NV 890
03 APR 19
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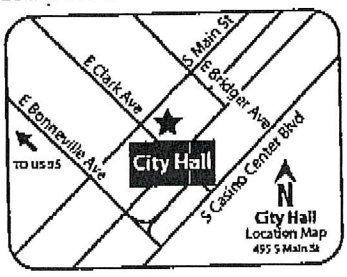

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City of Las Vegas

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75824 [PRJ-75738]

Planning Commission Meeting of **04/09/2019**

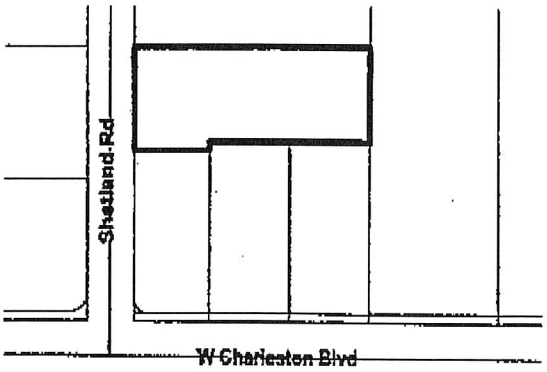
PRJ-75738
13932810001
BLUE CORVETTE TRUST
COSTA DAVID GASTON ROBERT & SAND
2425 PALOMINO LN
LAS VEGAS NV 89107

97 BRDGNP1 89107

Application Information

VAR-75824 - VARIANCE - PUBLIC HEARING - APPLICANT: RAD MANAGEMENT, LLC - OWNER: DSRS PROPERTIES, LLC - For possible action on a request for a Variance TO ALLOW REDUCED LOT SIZES AND WIDTHS FOR THREE PROPOSED LOTS WHERE A 20,000 SQUARE-FOOT LOT SIZE AND A 100-FOOT LOT WIDTH ARE REQUIRED AND TO ALLOW A REAR YARD SETBACK OF 26 FEET WHERE 35 FEET IS THE MINIMUM REQUIRED on 0.70 acres at 835 Shetland Road (APN 139-32-802-025), R-E (Residence Estates) Zone, Ward 1 (Tarkanian) [PRJ-75738].

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	*04/09/2019*
Time:	6:00 PM
Location:	Council Chambers - 495 South Main Street - Phone 229-6011

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file a written objection thereto or approval thereof with the Department of Planning, Development Services Center, 333 North Rancho Drive, 3rd Floor, Las Vegas, Nevada 89106. Final Action on General Plan Amendments and Rezonings will be determined by the City Council. Other public hearing items may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. For further information, including the full staff report, please call (702) 229-6301 (TDD 386-9108) or go to http://www.lasvegasnevada.gov.

Submitted after final agenda 45P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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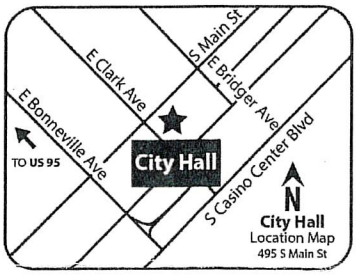

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City of Las Vegas

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75824 [PRJ-75738]

Planning Commission Meeting of **04/09/2019**

PRJ-75738
16205510007
NEWBERRY DENNIS & SHIRLEY FAM TR
NEWBERRY DENNIS W & SHIRLEY TRS
1124 CAHLAN DR
LAS VEGAS NV 89102-2114

89 BRDGNP1 89102

45 P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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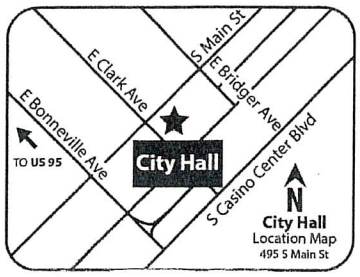

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Dept of Planning
City of Las Vegas

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75824 [PRJ-75738]
Planning Commission Meeting of **04/09/2019**

PRJ-75738
16205510008
NEWBERRY DENNIS & SHIRLEY FAM TR
NEWBERRY DENNIS W & SHIRLEY TRS
1124 CAHLAN DR
LAS VEGAS NV 89102-2114

89 BRDGNP1 89102

45 P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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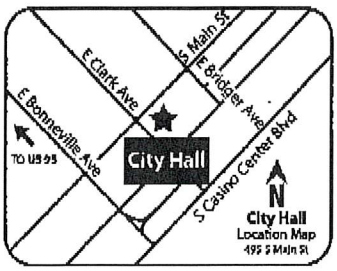

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75824 [PRJ-75738]
Planning Commission Meeting of **04/09/2019**

RECEIVED
APR 0 9 2019
Dept of Planning
City of Las Vegas

PRJ-75738
13932810019

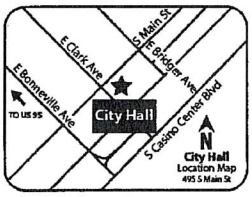
GORANSON ALEXANDRA
813 TROTTER CIR
LAS VEGAS NV 89107-4508

ST BRDGHP1 89107

45P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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VAR-75824 [PRJ-75738]
Planning Commission Meeting of **04/09/2019**

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Dept of Planning
City of Las Vegas

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PLEASE DO NOT GRANT VARIANCES THAT CHANGE THE DENSITY OF EXISTING NEIGHBORHOODS,

PRJ-75738
16205511001
REZA JAMES P & STACI D
1201 STRONG DR
LAS VEGAS NV 89102-2100

89 BRDGNP1 89102

12/24/2018 05:27 17022569688 CDC INC PAGE 01/01

45P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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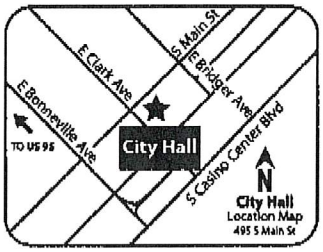

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Dept of Planning
City of Las Vegas

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75824 [PRJ-75738]

Planning Commission Meeting of **04/09/2019**

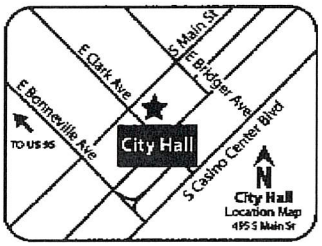
PRJ-75738
13932810022
PALOMINO GARDENS HOMEOWNERS ASSN
824 TROTTER CIR
LAS VEGAS NV 89107-4501

97 BRDGNP1 89107

45P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-75824 [PRJ-75738]
Planning Commission Meeting of **04/09/2019**

PRJ-75738
13932810010
GARCIA MARIO A & ELSA F
824 TROTTER CIR
LAS VEGAS NV 89107-4501

This is a historic neighborhood, known for its larger sized lots. Help us preserve it!

97 BRDGNP1 89107

Apr.03.2019 11:52 AM Garcia 7022581989 PAGE. 1/ 1

45P

Nora Lares

From: noreply@formstack.com
Sent: Thursday, April 4, 2019 7:57 AM
To: Planning Comments
Subject: Planning Application Comments Form

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APR 0 8 2019
Dept of Planning
City of Las Vegas

EXTERNAL EMAIL

formstack

Formstack Submission For: PlanningApplicationComments2019
Submitted at 04/04/19 7:57 AM

Meeting Date:	Tuesday, April 9, 2019
Project Number:	75738
Position:	I OPPOSE the project and all related applications.
Name:	charles kavitsky
Residential or Business Address:	2329 Alta Drive las vegas, NV 89107
Phone:	(415) 250-2565
Email:	chuckkavitsky@yahoo.com
Comments:	Please don't begin the destruction of our beautiful neighborhood by allowing dramatic changes by speculative profiteers.

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

Submitted after final agenda

45P

Nora Lares

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Sent: Thursday, April 4, 2019 7:45 AM
To: Planning Comments
Subject: Planning Application Comments Form

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City of Las Vegas

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formstack

Formstack Submission For: PlanningApplicationComments2019
Submitted at 04/04/19 7:44 AM

Meeting Date:	Tuesday, April 9, 2019
Project Number:	75738
Position:	I OPPOSE the project and all related applications.
Name:	Mindy Kavitsky
Residential or Business Address:	2329 Alta Drive Las Vegas , NV 89107
Phone:	(702) 510-2341
Email:	mindykavitsky@aol.com
Comments:	Our historic neighborhood is 1 acre lots. This is the way it should stay. Lot size is a major reason we purchased here.

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Nora Lares

From: noreply@formstack.com
Sent: Thursday, April 4, 2019 5:57 AM
To: Planning Comments
Subject: Planning Application Comments Form

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City of Las Vegas

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Formstack Submission For: PlanningApplicationComments2019
Submitted at 04/04/19 5:56 AM

Meeting Date:	Tuesday, April 9, 2019
Project Number:	PRJ-75738
Position:	I OPPOSE the project and all related applications.
Name:	Aaron Hinterleitner
Residential or Business Address:	2337 Pinto Ln Las Vegas, NV 89107
Phone:	(702) 769-1059
Email:	hinty89102@cox.net
Comments:	Please consider the impact this will have to the residential area on Shetland.

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Nora Lares

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Sent: Wednesday, April 3, 2019 8:00 PM
To: Planning Comments
Subject: Planning Application Comments Form

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City of Las Vegas

EXTERNAL EMAIL

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Formstack Submission For: PlanningApplicationComments2019
Submitted at 04/03/19 7:59 PM

Meeting Date:	Tuesday, April 9, 2019
Project Number:	PRJ75738
Position:	I OPPOSE the project and all related applications.
Name:	neil carmena
Residential or Business Address:	2825 pinto lane las vegas, NV 89107
Phone:	(702) 878-8108
Email:	tncarmena@gmail.com
Comments:	Maintain the standard in our neighborhood.

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45P

Nora Lares

From: noreply@formstack.com
Sent: Thursday, April 4, 2019 1:18 PM
To: Planning Comments
Subject: Planning Application Comments Form

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APR 08 2019
Dept of Planning
City of Las Vegas

EXTERNAL EMAIL

formstack

Formstack Submission For: PlanningApplicationComments2019
Submitted at 04/04/19 1:17 PM

Meeting Date:	Tuesday, April 9, 2019
Project Number:	PRJ-75738
Position:	I OPPOSE the project and all related applications.
Name:	Sandra Costa
Residential or Business Address:	2425 Palomino Lane Las Vegas, NV 89107
Phone:	(480) 703-9027
Email:	blondorr@aol.com
Comments:	With this area being historic and preservationist, it is ridiculous to trying to devalue the neighborhood. It seems there is little grand planning here and once Lois Tarkanian leaves, I fear for this pristine area. Even the timing is suspect. I would hope more focus would be put on rogue traffic and the homeless invasion. Even rebuilding Wasden so that children can be bussed in seems like very un unified planning.

45P

Nora Lares

From: noreply@formstack.com
Sent: Friday, April 5, 2019 6:40 PM
To: Planning Comments
Subject: Planning Application Comments Form

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Dept of Planning
City of Las Vegas

EXTERNAL EMAIL

formstack

Formstack Submission For: PlanningApplicationComments2019
Submitted at 04/05/19 6:39 PM

Meeting Date:	Tuesday, April 9, 2019
Project Number:	PRJ-75738
Position:	I OPPOSE the project and all related applications.
Name:	Jeanne Marie Möller
Residential or Business Address:	801 Campbell Drive Las Vegas, NV 89107-4407
Phone:	(702) 218-9351
Email:	jmmoller@mac.com
Comments:	In order to support a project, it is necessary to be able to review the proposed plan in specific detail. Other than the posted description, there is insufficient information. Until I have an opporunity to review the proposed plan indicating the proposed new setback vs the existing setback, the proposed relocation of lot lines with dimensions and the proposed siting of the structures, I must oppose this variance request.

45P

Nora Lares

From: noreply@formstack.com
Sent: Monday, April 8, 2019 9:49 AM
To: Planning Comments
Subject: Planning Application Comments Form

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Dept of Planning
City of Las Vegas

EXTERNAL EMAIL

formstack

Formstack Submission For: PlanningApplicationComments2019
Submitted at 04/08/19 9:49 AM

Meeting Date:	Tuesday, April 9, 2019
Project Number:	PRJ-75738
Position:	I OPPOSE the project and all related applications.
Name:	Alice Hartling
Residential or Business Address:	825 Shetland Road Las Vegas, NV 89107
Email:	babsseraphim@gmail.com
Comments:	I absolutely oppose the idea of cutting up historic residential properties just so some outside investor can try to collect a quick pofit. The house in the back of this property is a 3 car garage and a great room with a tiny kitchen and bathroom. It is NOT another home. I toured the entire property when it went on the market, as my family is interested in moving nearby. They also already own almost an acre and want a similar style of lot when they move. Having a little land is EXACTLY why my husband and I live here! This is an historic Vegas neighborhood and must be preserved. Our Equestrian Estates are the perfect blend of rural living in the center of the most unique city in the world! Don't allow real estate pirates to ruin our city!

45P

Nora Lares

From: noreply@formstack.com
Sent: Monday, April 8, 2019 8:50 AM
To: Planning Comments
Subject: Planning Application Comments Form

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APR 0 8 2019
Dept of Planning
City of Las Vegas

EXTERNAL EMAIL

formstack

Formstack Submission For: PlanningApplicationComments2019
Submitted at 04/08/19 8:49 AM

Meeting Date:	Tuesday, April 9, 2019
Project Number:	PRJ-75738
Position:	I OPPOSE the project and all related applications.
Name:	CHRIS ANDRASFAY
Residential or Business Address:	825 SHETLAND ROAD LAS VEGAS, NV 89107
Phone:	(702) 204-3414
Email:	candrasfay@gmail.com
Comments:	Members of the Planning Commission, I request that the members deny this variance request. I am not sure if the members backgrounds includes experiences that are a result of these types of variances. Having come from Los Angeles 20 years ago, specifically Santa Monica, I have seen the damage done to communities when lots are split.

45P
Pg 1 of 2

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APR 0 8 2019
Dept of Planning
City of Las Vegas

The Main Street area of Santa Monica once, had one half to acre lots just like this neighborhood. Then lot sizes where allowed to shrink and multiple residences where allowed on the same property. Where four people once lived, there are now 8, 12, 16. Where once there where two cars, there are now a dozen. The quality of life plummeted.

I urge you to let this community live as it has for the past 70 years and deny the variance.

Thank you for your consideration,

Chris Andrasfay

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

45
Pg 2 of 2

Nora Lares

From: noreply@formstack.com
Sent: Wednesday, April 3, 2019 3:40 PM
To: Planning Comments
Subject: Planning Application Comments Form

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Dept of Planning
City of Las Vegas

EXTERNAL EMAIL

formstack

Formstack Submission For: PlanningApplicationComments2019
Submitted at 04/03/19 3:39 PM

Meeting Date:	Tuesday, April 9, 2019
Project Number:	PRJ-75738
Position:	I OPPOSE the project and all related applications.
Name:	Kevin Buckley
Residential or Business Address:	2333 Pinto Lane Las Vegas, NV 89107
Phone:	(702) 245-0282
Email:	kevin@frecnv.com
Comments:	To the Members of the Planning Commission and City Council I appreciate this opportunity to address our strenuous opposition to this application. Our family is a 50 year resident of this Historic and Equestrian Neighborhood. Beyond the physical barriers of the restriction of the land size this application is contrary to the integrity of this incredible rural gem in the center of Las Vegas . This application makes no sense based upon its location , size and past historicist zoning precedent .

45P
Pg 1 of 2

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APR 0 8 2019
Dept of Planning
City of Las Vegas

Respectfully
Kevin Buckley

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Formstack, 11671 Lantern Road, Suite 300, Fishers, IN 46038

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Pg 2 of 2

Nora Lares

From: noreply@formstack.com
Sent: Wednesday, April 3, 2019 10:34 PM
To: Planning Comments
Subject: Planning Application Comments Form

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City of Las Vegas

EXTERNAL EMAIL

formstack

Formstack Submission For: PlanningApplicationComments2019
Submitted at 04/03/19 10:33 PM

Meeting Date:	Tuesday, April 9, 2019
Project Number:	PRJ-75738
Position:	I OPPOSE the project and all related applications.
Name:	RICHARD BRUNO
Residential or Business Address:	2426 PALOMINO LN LAS VEGAS, NV 89107
Phone:	(310) 863-9013
Email:	triplevette2000@msn.com
Comments:	I am absolutely opposed to this property variance - PRJ-75738. There is no benefit to the residents in this community to enact this proposed variance. These types of variances in our neighborhood will be detrimental. They will lower property values, create more congestion and overall severely impact the quality of life for the residents who have lived here for many years - if not decades. No one benefits except the speculator DSRS Properties. They will take their profits

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pg 1 of 2

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and leave our neighborhood to deal with the consequences. This variance must be denied.

Sincerely,

Richard Bruno

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Pg 2 of 2

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
93

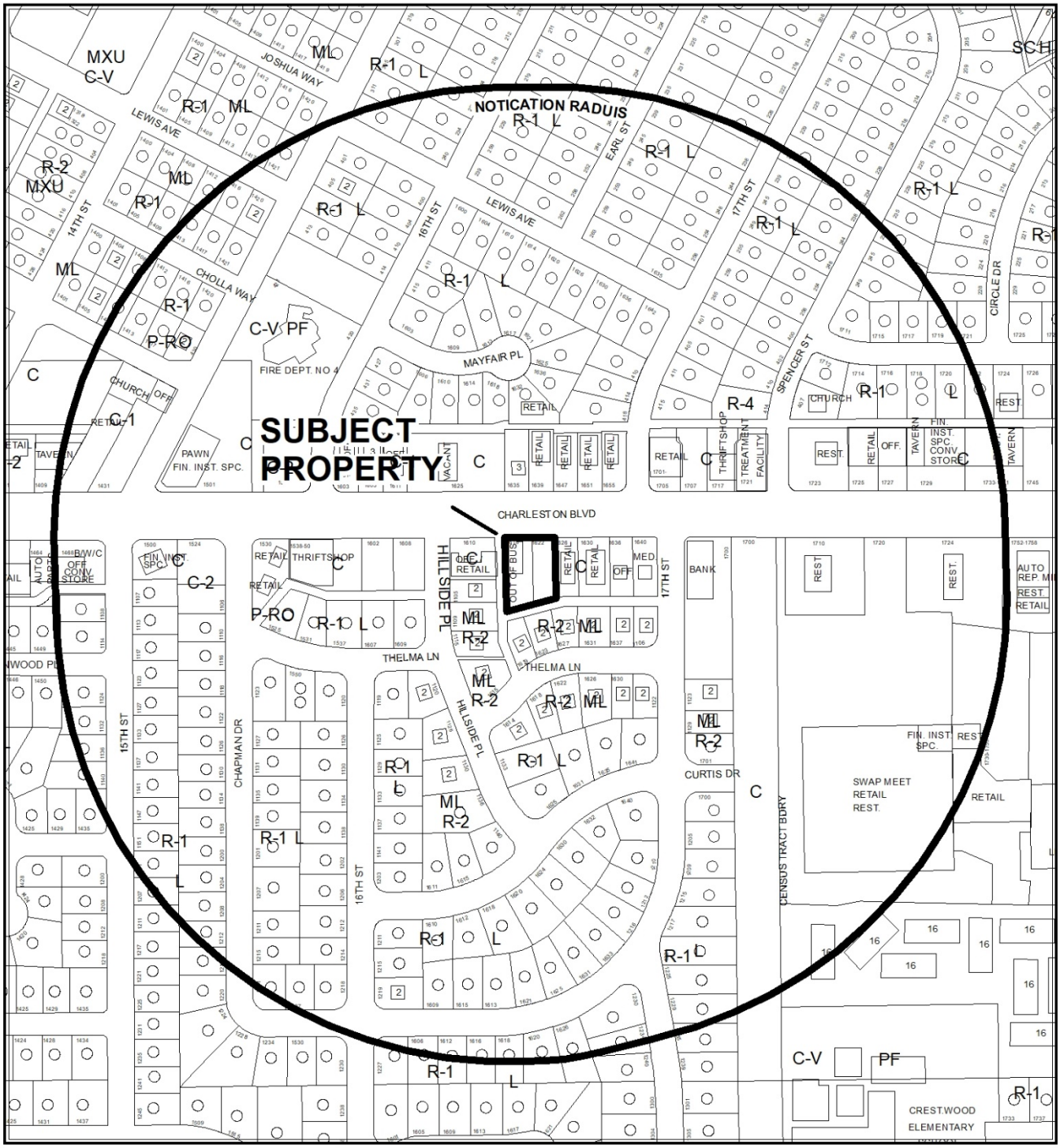
DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
VAR-76335 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: PATRON INVESTMENTS, LLC - For possible action on a request for a Variance TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED on 0.39 acres at 1618 and 1622 East Charleston Boulevard (APNs 162-02-113-001 and 002), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-76284]. Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	1	Planning Commission Mtg.	1
City Council Meeting	1	City Council Meeting	2

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Location and Aerial Maps - VAR-76335, VAR-76336 and SDR-76337 [PRJ-76284]
2. Conditions and Staff Report - VAR-76335, VAR-76336 and SDR-76337 [PRJ-76284]
3. Supporting Documentation - VAR-76335, VAR-76336 and SDR-76337 [PRJ-76284]
4. Photo(s) - VAR-76335, VAR-76336 and SDR-76337 [PRJ-76284]
5. Justification Letter - VAR-76335, VAR-76336 and SDR-76337 [PRJ-76284]
6. Submitted after Final Agenda – Protest/Support Postcards for VAR-76335 and VAR-76336
7. Backup Submitted at the June 11, 2019 Planning Commission Meeting



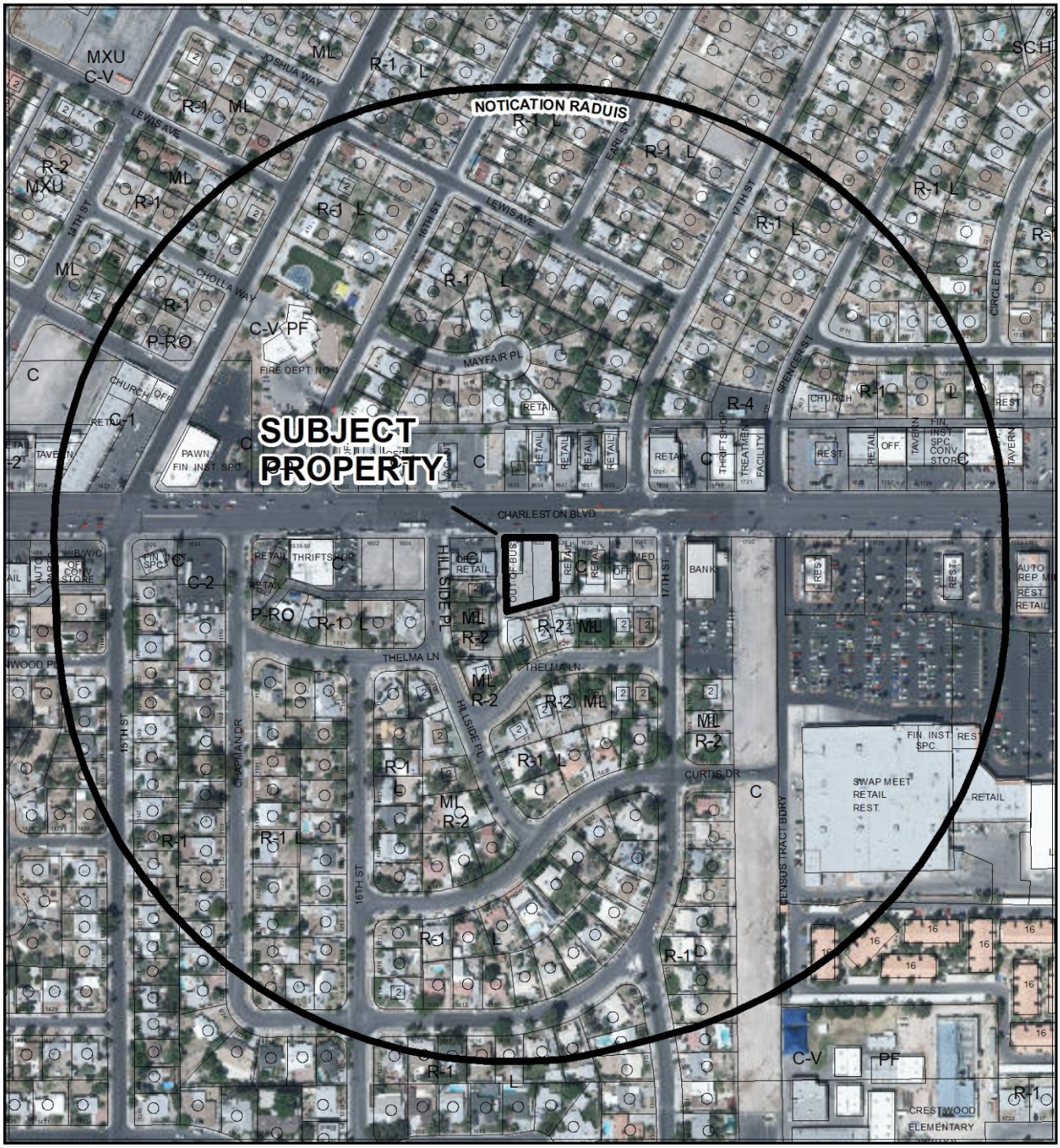
0 255 510 Feet

CASE: **VAR-76335, VAR-76336, SDR-76337 (PRJ-76284)**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N



0 255 510 Feet

CASE: **VAR-76335, VAR-76336, SDR-76337 (PRJ-76284)**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: PATRON INVESTMENTS, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-76335	Staff recommends DENIAL, if approved subject to conditions:	
VAR-76336	Staff recommends DENIAL, if approved subject to conditions:	
SDR-76337	Staff recommends DENIAL, if approved subject to conditions:	VAR-76335 VAR-76336

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 39

NOTICES MAILED
311 - VAR-76335 and VAR-76336 (By City Clerk)
311 - SDR-76337 (By City Clerk)

PROTESTS
0 - VAR-76335 and VAR-76336
0 - SDR-76337

APPROVALS
0 - VAR-76335 and VAR-76336
0 - SDR-76337

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** CONDITIONS **

VAR-76335 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-76336) and Site Development Plan Review (SDR-76337) shall be required, if approved.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

VAR-76336 CONDITIONS

Planning

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3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

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4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SDR-76337 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-76335) and Variance (VAR-76336) shall be required, if approved.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All development shall be in conformance with the site plan and landscape plan, date stamped 05/16/19, and building elevations and floor plans, date stamped 04/22/19, except as amended by conditions herein.

4. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.

5. The proposed trash enclosure shall be screened, gated, with a roof or trellis in accordance with Title 19 development standards.

6. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

7. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

8. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

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9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

10. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

11. Correct all American's with Disabilities Act (ADA) deficiencies on the sidewalk along Charleston Boulevard adjacent to this site in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site. Grant a Public Pedestrian Access Easement for any public sidewalk that is outside of the public right-of-way.

12. Obtain an Occupancy Permit from the Nevada Department of Transportation (NDOT) for the construction of improvements within NDOT jurisdiction, if any.

13. Landscape and maintain all unimproved rights-of-way adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

14. Submit a License Agreement for all landscaping and private improvements, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site. The applicant must carry an insurance policy for the term of the encroachment agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove landscaping and private improvements encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's encroachment agreement. The installation and maintenance of all private structures in the public right-of-way shall be the responsibility of the adjacent property owner(s) and shall be transferred with the sale of the property for the entire term of the Encroachment Agreement.

15. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to construct an addition to an existing building that encroaches into the required side yard setback area at 1618 and 1622 East Charleston Boulevard.

ISSUES

- Variance (VAR-76335) is requested to allow a side yard setback of zero feet where 10 feet is the minimum required. Staff does not support the request.
- Variance (VAR-76336) is requested to allow 30 parking spaces where 32 are the minimum required. Staff does not support the request.
- A Waiver is requested to allow a zero-foot landscape buffer width along the north property line where 15 feet is required. Staff does not support the request.
- A Waiver is requested to allow a zero-foot landscape buffer width along the east property line where eight feet is required. Staff does not support the request.
- An exception is requested to allow zero trees along the north and east property lines where one 24" box tree is required per 20 feet. Staff does not support the request.
- An exception is requested to allow zero parking lot trees where one tree per six uncovered spaces, plus one tree at the end of each row of spaces is required. Staff does not support the request.
- A condition of approval has been added regarding any applicable mapping actions prior to building permit issuance.

ANALYSIS

The subject site is zoned C-1 (Limited Commercial) and is subject to Title 19 development standard requirements. The site consists of two adjoining lots with an existing unoccupied 1,680 square-foot building. The building was previously utilized as a retail orthopedic store. The applicant proposes to construct an 871 square-foot addition to the building in order to operate as a Restaurant use. The proposed use is permitted in the C-1 (Limited Commercial) zoning district.

The applicant has requested Variance (VAR-76335) to allow a zero-foot setback along the west property line, which abuts an alley. The applicant has also requested Variance (VAR-76336) to allow a seven percent reduction in required parking. A total of 30 parking spaces are provided where 32 are required. Per the submitted site plan, parking spaces

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are provided on both lots. A condition of approval has been added to address any possible required mapping actions regarding combining the subject lots. Landscaping Waivers and Exceptions are requested to allow a reduction in landscape buffer width requirements and zero trees.

Due to the associated Variances, Waivers and Exceptions of Title 19 development standard requirements, staff finds that the proposed development is not appropriate for the subject site. Therefore, staff recommends denial of all requested entitlements. If approved, the entitlements are subject to conditions.

FINDINGS (VAR-76335)

In accordance with the provisions of Title 19.16.140(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

> "Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to construct an addition that does not meet Title 19 development standard requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

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No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to construct an addition that fails to provide the required parking amount per Title 19. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (SDR-76337)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. The proposed development is compatible with adjacent development and development in the area;

The proposed development is not compatible with adjacent development in the area due to the requested reduction in required setback and parking requirements.

2. **The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;**

   The proposed development is not consistent with Title 19 as evidenced by the requested associated Variances, Waivers and Exceptions.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

   Site access is provided by Charleston Boulevard, a 102-foot wide primary arterial, adequate in size to service a restaurant use at the subject site.

4. **Building and landscape materials are appropriate for the area and for the City;**

   The proposed building materials are compatible with the existing development in the area. The proposed minimal landscaping includes shrubs which adhere to the Southern Nevada Regional Plant List. No trees are provided.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

   The submitted building elevations and architectural aesthetic features are not unsightly or obnoxious in appearance. However, the proposed zero-foot setback is not harmonious and compatible with development in the area.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

   If the approved, the proposed development will be subject to building permit and licensing requirements, therefore ensuring the protection of the public health, safety and general welfare.

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
06/11/19	The Planning Commission voted to recommend APPROVAL on the following requests: • Variance (VAR-76335) TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE 10 FEET IS REQUIRED on 0.39 acres at 1618 and 1622 East Charleston Boulevard (APNs 162-02-113-001 and 002), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-76284].

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Related Relevant City Actions by Planning, Fire, Bldg., etc.	
06/11/19	The Planning Commission voted to recommend APPROVAL on the following requests: • Variance (VAR-76336) TO ALLOW 30 PARKING SPACES WHERE 32 PARKING SPACES ARE REQUIRED • Site Development Plan Review (SDR-76337) FOR A PROPOSED 871 SQUARE-FOOT ADDITION TO AN EXISTING BUILDING WITH A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE NORTH PERIMETER WHERE 15 FEET IS REQUIRED AND A ZERO-FOOT LANDSCAPE BUFFER ALONG THE EAST PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.39 acres at 1618 and 1622 East Charleston Boulevard (APNs 162-02-113-001 and 002), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-76284].

Most Recent Change of Ownership	
08/08/15	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
07/16/90	Business License (#G50-06946) was issued for a shoe sales retail establishment at 1618 East Charleston Boulevard. The license is listed inactive as of 06/11/15.
10/03/12	Business License (#M21-01271) was issued for a merchandise broker use at 1618 East Charleston Boulevard. The license is listed as inactive as of 03/05/14.
09/02/15	Building Permit (#C-298410) was issued for interior demo work at 1618 East Charleston Boulevard. The permit was finalized on 04/28/16.

Pre-Application Meeting	
04/16/19	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed Site Development Plan Review with associated Variances for building setbacks and parking.

Neighborhood Meeting
A Neighborhood meeting was not required, nor was one held.

Field Check	
05/02/19	Staff conducted a routine field check and found a vacant building surrounded by a chain-link fence.

Details of Application Request	
Site Area	
Net Acres	0.17

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Vacant	C (Commercial)	C-1 (Limited Commercial)
North	General Retail, other than listed	C (Commercial)	C-1 (Limited Commercial)
South	Single Family, Attached	ML (Medium-Low Density Residential)	R-2 (Medium-Low Density Residential)
East	General Retail, other than listed	C (Commercial)	C-1 (Limited Commercial)
West	General Retail, other than listed	C (Commercial)	C-1 (Limited Commercial)

Master and Neighborhood Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Area and Overlay Districts	***Compliance***
No Applicable Special Area or Overlay Districts	N/A
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	Y
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

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DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Setbacks			
• Front	10 Feet	9 Feet	Y*
• Side	10 Feet	0 Feet	N**
• Corner	10 Feet	N/A	N/A
• Rear	20 Feet	77 Feet	Y
Max. Lot Coverage	50 %	27 %	Y
Max. Building Height	N/A	16 Feet	N/A
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Not Indicated	By Condition

*The proposed front yard setback for the addition aligns with the existing setback of the vacant building of the subject site.
**The applicant has requested a Variance (VAR-76335) to allow a reduced side yard setback.

Pursuant to Title 19.08, the following standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	6 Trees	0 Trees	N*
• South	1 Tree / 20 Linear Feet	0 Trees	0 Trees	Y
• East	1 Tree / 20 Linear Feet	7 Trees	0 Trees	N*
• West	1 Tree / 20 Linear Feet	0 Trees	0 Trees	Y
TOTAL PERIMETER TREES		**13 Trees**	**0 Trees**	**N***
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	11 Trees	0 Trees	N*

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Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	15 Feet		0 Feet	N**
• South	0 Feet		0 Feet	Y
• East	8 Feet		0 Feet	N**
• West	0 Feet		0 Feet	Y

*Exceptions are requested to allow zero perimeter and parking lot trees.
**Waivers to allow zero-foot landscape buffer widths along the north and east property lines.

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Charleston Boulevard	Primary Arterial	Planned Streets and Highways Map	102 Feet	Y

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Restaurant (public seating and waiting area)	1,232 SF	1:50 SF	25				
Restaurant (remaining gross floor area)	1,319 SF	1:200 SF	7				
TOTAL SPACES REQUIRED			32		30		N*
Regular and Handicap Spaces Required			30	2	28	2	N*
Percent Deviation			7%				

*The applicant has requested Variance (VAR-76336) to allow a reduction in required parking.

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Waivers		
Requirement	***Request***	***Staff Recommendation***
Provide a 15-foot landscape buffer adjacent to the right-of-way	To provide a zero-foot landscape buffer adjacent to the right-of-way	Denial
Provide an eight-foot landscape buffer along interior lot lines	To provide a zero-foot landscape buffer along the south, east and west property lines	Denial

Exceptions		
Requirement	***Request***	***Staff Recommendation***
Provide 24” box trees every 20 feet along the north and east perimeters	Provide zero trees along the north and east perimeters	Denial
Provide one tree per six uncovered spaces, plus one tree at the end of each row of spaces	Provide zero parking lot trees	Denial

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DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) _____

Project Address (Location) 1618, 1622 E Charleston Blvd.

Project Name Tacos el Gordo **Proposed Use** _____

Assessor's Parcel #(s) 162-02-113-001 002 **Ward #** _____

General Plan: Existing _____ Proposed _____ **Zoning:** Existing _____ Proposed _____

Additional Information _____

Property Owner Miguel Rojas Rivera **Contact** _____

Address 1590 Golden Arrow City Las Vegas State NV Zip 89169

E-mail tacos elgordobc@gmail.com Phone (619) 424-7465

Applicant _____ **Contact** _____

Address _____ City _____ State _____ Zip _____

E-mail _____ Phone _____

Representative ANGEL DIAZ **Contact** 702-413-8617

Address 1724 E CHARLESTON BLVD City LAS VEGAS State NV Zip 89104

E-mail days electric INC@gmail.com Phone 702 413-8617

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company? ☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official _____ **Partner(s)** _____

Partner(s) _____

* I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

* Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature _____

An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name MIGUEL ROJAS RIVERA

Subscribed and sworn before me

This _____ day of _____, 20 _____ SEE ATTACHED

Notary Public in and for said County and State

PRJ-76284
04/22/19

04/18/2019 02:29PM 7022528226 GORDO CHARL PAGE 01/01

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of SAN DIEGO

On APRIL 18, 2019 before me, Phyllis E. Webster, Notary Public
(insert name and title of the officer)

personally appeared MIGUEL ROJAS RIVERA
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature Phyllis E Webster (Seal)

PHYLLIS E WEBSTER
COMM. #2197785
SAN DIEGO COUNTY
NOTARY PUBLIC-CALIFORNIA
MY COMMISSION EXPIRES
JUNE 15, 2021

PRJ-76284
04/22/19

1618 & 1622 E. CHARLESTON
50' R.O.W.

NORTH

SCALE: 1" = 10'

0 10 20 30 40

PARKING ANALYSIS	
BLDG. #1	1680 SF
ADDITION	871 SF
TOTAL SF	2,551 SF
1,232 SF SEATING & WAITING @ 1/50	24.64 STALLS
1,319 SF GROSS AREA @ 1/200	6.60 STALLS
TOTAL PARKING STALLS REQUIRED	32 STALLS
EX. PARKING STALLS	30 STALLS

LANDSCAPING LEGEND			
SYMBOL	DESIGNATION	SIZE	AMOUNT
	DWARF FAN PALM CHAMAEROPS HUMILIS	5 GAL.	9
	MOCK ORANGE	5 GAL.	7
	DECORATIVE GRAVEL PAVING		—



PRJ-76284
04/22/19

TACOS EL GORDO
1618 & 1622 E. CHARLESTON BLVD.
LAS VEGAS, NV 89104

SITE PLAN

DATE	6/2/18
JOB #	
SCALE	1" = 10'
DRAWN BY	

REVISION

SHEET #
SP. 1

1618 & 1622 E. CHARLESTON
50' R.O.W.

SCALE: 1" = 10'

0 10 20 30 40

PARKING ANALYSIS	
BLDG. #1	1680 SF
ADDITION	871 SF
TOTAL SF	2,551 SF
1,232 SF SEATING & WAITING @ 1/50	24.64 STALLS
1,319 SF GROSS AREA @ 1/200	6.60 STALLS
TOTAL PARKING STALLS REQUIRED	32 STALLS
EX. PARKING STALLS	30 STALLS

LANDSCAPING LEGEND			
SYMBOL	DESIGNATION	SIZE	AMOUNT
	DWARF FAN PALM CHAMAEROPS HUMILIS	5 GAL.	9
	MOCK ORANGE	5 GAL.	7
	DECORATIVE GRAVEL PAVING		—



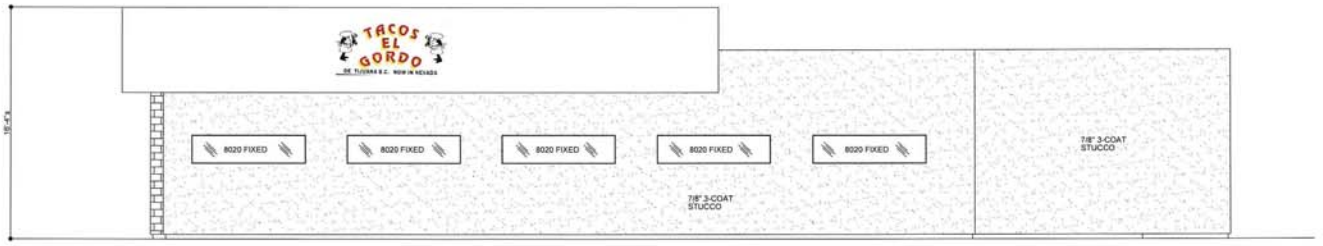
PRJ-76284
04/22/19

TACOS EL GORDO
1618 & 1622 E. CHARLESTON BLVD.
LAS VEGAS, NV 89104

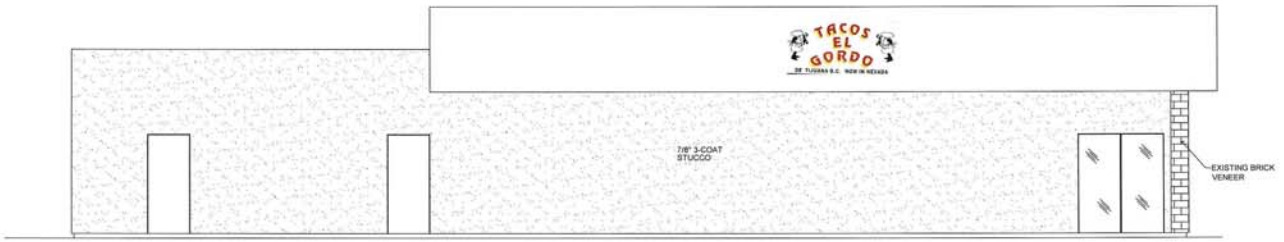
SITE PLAN

DATE : 5/1/19
JOB # :
SCALE : 1" = 10'
DRAWN BY :
REVISION :

SHEET #
SP.1



WEST ELEVATION



EAST ELEVATION



FRONT ELEVATION



REAR ELEVATION

PRJ-76284
04/22/19

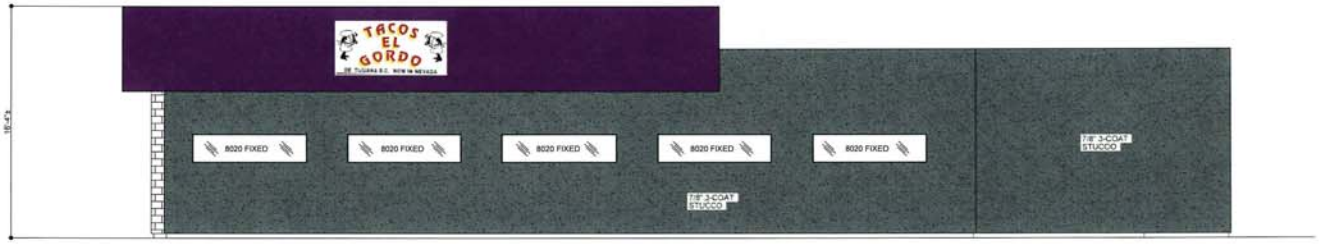
TACOS EL GORDO
1618 & 1622 E. CHARLESTON BLVD.
LAS VEGAS, NV 89104

ELEVATIONS

DATE :	6/7/18
JOB # :	
SCALE :	1/4" = 1'-0"
DRAWN BY :	

REVISION :

SHEET #
A.2



WEST ELEVATION



EAST ELEVATION



FRONT ELEVATION



REAR ELEVATION

PRJ-76284
04/22/19

TACOS EL GORDO
1618 & 1622 E. CHARLESTON BLVD.
LAS VEGAS, NV 89104

ELEVATIONS

DATE: 6/7/18
JOB #:
SCALE: 1/4" = 1'-0"
DRAWN BY:
REVISION

SHEET #
A.2

1618 & 1622 E. CHARLESTON BLVD.
LAS VEGAS, NV 89104

DRAWN BY :	
SCALE :	1/4" = 1'-0"
JOB # :	
DATE :	3/4/19
REVISION :	

FLOOR PLAN

SHEET # A.1

FLOOR PLAN
SCALE 1/4" = 1'-0"

CODE ANALYSIS

CONSTRUCTION TYPE: VB
OCCUPANCY: A2
ALLOWABLE = 40'-0"
HEIGHT: ACTUAL = 16'-4"
ALLOWABLE = ONE
STORIES: ACTUAL = ONE
ALLOWABLE = 6,000 SQ. FT.
ACTUAL = 2,551 SQ. FT.
PROVIDED EXITS: TWO
REQUIRED EXITS: TWO
FIRE SPRINKLERS: PROPOSED
SPECIAL INSPECTIONS: REQUIRED: NONE
FIRE RESISTIVE CONSTRUCTION REQUIREMENTS: NONE
OCCUPANCY LOAD:
DINING AREA = 1,292 S.F. @ 1/15 = 86.13
RESTROOM AREA = 240 S.F. = 10
KITCHEN AREA = 414 S.F. @ 1/200 = 17
SERVICE/STAGING AREA = 960 S.F. @ 1/200 = 4.5
STORAGE = 79 S.F. @ 1/300 = .26

TOTAL OCCUPANCY: 92

PRJ-76284
04/22/19



VAR-76335 [PRJ-76284] - VARIANCE RELATED TO VAR-76336 AND SDR-76337 - APPLICANT/OWNER: PATRON INVESTMENTS, LLC
1622 EAST CHARLESTON BOULEVARD

05/02/2019



VAR-76335 [PRJ-76284] - VARIANCE RELATED TO VAR-76336 AND SDR-76337 - APPLICANT/OWNER: PATRON INVESTMENTS, LLC
1622 EAST CHARLESTON BOULEVARD

05/02/2019



VAR-76335 [PRJ-76284] - VARIANCE RELATED TO VAR-76336 AND SDR-76337 - APPLICANT/OWNER: PATRON INVESTMENTS, LLC
1622 EAST CHARLESTON BOULEVARD

05/02/2019



JUSTIFICATION LETTER

THIS LETTER IS TO REQUEST A DEVELOPMENT PLAN FOR THE PROPOSED 2,551 SQ FT RESTAURANT LOCATED AT 1618 & 1622 E. CHARLESTON. WE ARE REQUESTING A WAIVER TO ALLOW A 0' FT LANDSCAPE BUFFER ALONG THE NORTH, SOUTH, EAST, & WEST PROPERTY LINES. WE ARE ALSO REQUESTING (2) VARIANCES, ONE FOR A 0' FT SIDEYARD SETBACK ALONG THE WEST PROPERTY LINE WHERE 10' FEET IS REQUIRED. THE SECOND VARIANCE THAT WE ARE REQUESTING IS TO ALLOW 30 PARKING SPACES WHERE 32 PARKING SPACES ARE REQUIRED ON 0.39 ACRES AT 1618 & 1622 E. CHARLESTON. WE OWN BOTH PROPERTIES AND WILL UTILIZE THEM FOR THE RESTAURANT AND PARKING LOT REQUIREMENTS. WE WILL ADD LANDSCAPE PLANTERS TO THE MODIFIED PARKING LOT LAYOUT. WE ARE ALSO ADDING ONTO THE EXISTING BUILDING TO MAXIMIZE THE CUSTOMER DINNING EXPERIENCE. WE GREATLY APPRECIATE YOUR HELP WITH OUR REQUESTS. THANK YOU FOR YOUR TIME.

SINCERELY MIGUEL ROJAS

PRJ-76284
04/22/19

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Las Vegas, NV
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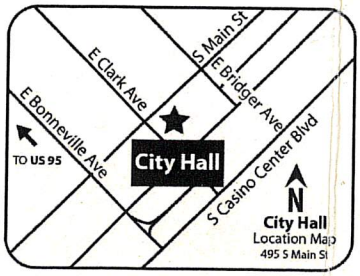
2019 JUL -8 P 4:49

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-76335 and VAR-76336 [PRJ-76284]
City Council Meeting of **JULY 17, 2019**

PRJ-76284
16202116043
PROCK ROCCO L & DONA J
1641 CURTIS DR
LAS VEGAS NV 89104-1850

93 ORDFMP1 89104

Submitted after final agenda
Item 93-94

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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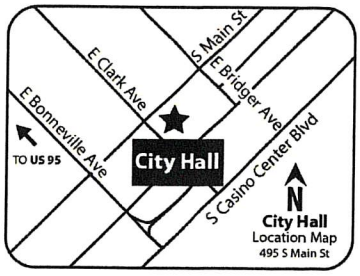

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[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.
VAR-76335 and VAR-76336 [PRJ-76284]
City Council Meeting of **JULY 17, 2019**

PRJ-76284
13935413068
MURPHY MELISSA ELLEN & MACHIKO I
239 SPENCER ST
LAS VEGAS NV 89101

97 ORDFNP1 89101

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Las Vegas, NV
Permit No. 1630

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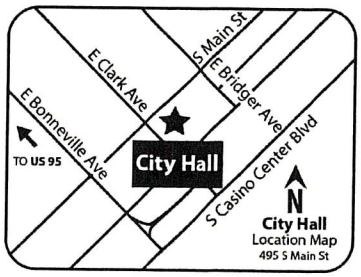

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[✓] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.
VAR-76335 and VAR-76336 [PRJ-76284]
City Council Meeting of **JULY 17, 2019**

PRJ-76284
13935413164
R Z M Z FAMILY L L C - SERIES 4
2010 E CHARLESTON BLVD
LAS VEGAS NV 89104-2018

Submitted after final agenda
Item 93-94

93 ORDFNP1 89104

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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Permit No. 1630

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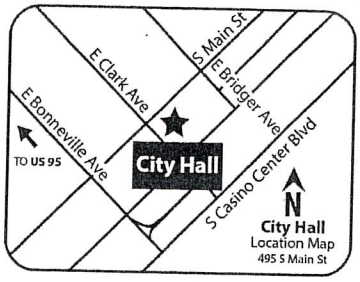
Official Notice of Public Hearing



RECEIVED
[illegible]
Dept of Planning
City of Las Vegas

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-76335 and VAR-76336 [PRJ-76284]
Planning Commission Meeting of **06/11/2019**

PRJ-76284
16202116043
PROCK ROCCO L & DONA J
1641 CURTIS DR
LAS VEGAS NV 89104-1850

93 DRDFNP1 89104

Submitted after final agenda

15 P
16 P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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Las Vegas, NV
Permit No. 1630

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Official Notice of Public Hearing

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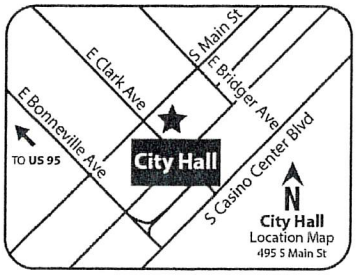
Dept of Planning
City of Las Vegas



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-76335 and VAR-76336 [PRJ-76284]
Planning Commission Meeting of **06/11/2019**

PRJ-76284
13935413068
MURPHY MELISSA ELLEN & MACHIKO I
239 SPENCER ST
LAS VEGAS NV 89101

87 DRDFMP1 89101

Submitted after final agenda

15A
16A

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
94

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
VAR-76336 - VARIANCE RELATED TO VAR-76335 - PUBLIC HEARING - APPLICANT/OWNER: PATRON INVESTMENTS, LLC - For possible action on a request for a Variance TO ALLOW 30 PARKING SPACES WHERE 32 PARKING SPACES ARE REQUIRED on 0.39 acres at 1618 and 1622 East Charleston Boulevard (APNs 162-02-113-001 and 002), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-76284]. Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	1	Planning Commission Mtg.	1
City Council Meeting	1	City Council Meeting	2

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) _____

Project Address (Location) 1618, 1622 E Charleston Blvd.

Project Name Tacos el Gordo — Proposed Use _____

Assessor's Parcel #(s) 162-02-113-001 002 — Ward # _____

General Plan: Existing _____ Proposed _____ Zoning: Existing _____ Proposed _____

Additional Information _____

Property Owner Miguel Rojas Rivera — Contact _____

Address 1590 Golden Arrow — City Las Vegas State NV Zip 89169

E-mail tacos elgordobc@gmail.com — Phone (619) 424-7465

Applicant _____ — Contact _____

Address _____ — City _____ State _____ Zip _____

E-mail _____ — Phone _____

Representative ANGEL DIAZ — Contact 702-413-8617

Address 1724 E CHARLESTON BLVD — City LAS VEGAS State NV Zip 89104

E-mail days electric INC@gmail.com — Phone 702 413-8617

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company? ☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official _____ Partner(s) _____

Partner(s) _____

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature _____

An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name MIGUEL ROJAS RIVERA

Subscribed and sworn before me

This _____ day of _____, 20 _____ SEE ATTACHED

Notary Public in and for said County and State

PRJ-76284
04/22/19

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of SAN DIEGO

On APRIL 18, 2019 before me, Phyllis E. Webster, Notary Public
(insert name and title of the officer)

personally appeared MIGUEL ROJAS RIVERA
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature Phyllis E Webster (Seal)

PHYLLIS E WEBSTER
COMM. #2197785
SAN DIEGO COUNTY
NOTARY PUBLIC-CALIFORNIA
MY COMMISSION EXPIRES
JUNE 15, 2021

PRJ-76284
04/22/19

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
95

DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
SDR-76337 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-76335 and VAR-76336 - PUBLIC HEARING - APPLICANT/OWNER: PATRON INVESTMENTS, LLC - For possible action on a request for a Site Development Plan Review FOR A PROPOSED 871 SQUARE-FOOT ADDITION TO AN EXISTING BUILDING WITH A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG THE NORTH PERIMETER WHERE 15 FEET IS REQUIRED AND A ZERO-FOOT LANDSCAPE BUFFER ALONG THE EAST PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.39 acres at 1618 and 1622 East Charleston Boulevard (APNs 162-02-113-001 and 002), C-1 (Limited Commercial) Zone, Ward 3 (Coffin) [PRJ-76284]. Staff recommends DENIAL. The Planning Commission (4-1 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	1	Planning Commission Mtg.	1
City Council Meeting	1	City Council Meeting	2

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (4-1 vote) recommends APPROVAL subject to conditions:

BACKUP DOCUMENTATION:
1. Consolidated Backup
2. Supporting Documentation
3. Submitted after Final Agenda – Protest/Support Postcards
4. Backup Submitted at the June 11, 2019 Planning Commission Meeting

Consistent with the City's sustainability efforts to reduce paper use, backup documentation pertaining to related items will appear as backup under the first item. This item includes such consolidated backup documentation. Please refer to the first related application in the subject line of the Agenda Summary Page.

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) _____

Project Address (Location) 1618, 1622 E Charleston Blvd.

Project Name Tacos el Gordo

Proposed Use _____

Assessor's Parcel #(s) 162-02-113-001 002

Ward # _____

General Plan: Existing _____ Proposed _____ Zoning: Existing _____ Proposed _____

Additional Information _____

Property Owner Miguel Rojas Rivera

Address 1590 Golden Arrow

E-mail tacos elgordobc@gmail.com

Contact _____

City Las Vegas State NV Zip 89169

Phone (619) 424-7465

Applicant _____

Address _____

E-mail _____

Contact _____

City _____ State _____ Zip _____

Phone _____

Representative ANGEL DIAZ

Address 1724 E CHARLESTON BLVD

E-mail days electric INC@gmail.com

Contact 702-413-8617

City LAS VEGAS State NV Zip 89104

Phone 702 413-8617

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company? ☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official _____ Partner(s) _____

Partner(s) _____

* I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

* Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature _____

An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name MIGUEL ROJAS RIVERA

Subscribed and sworn before me

This _____ day of _____, 20 _____

SEE ATTACHED

Notary Public in and for said County and State

PRJ-76284
04/22/19

04/18/2019 02:29PM 7022528226 GORDO CHARL PAGE 01/01

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of SAN DIEGO

On APRIL 18, 2019 before me, Phyllis E. Webster, Notary Public
(insert name and title of the officer)

personally appeared MIGUEL ROJAS RIVERA
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature Phyllis E Webster (Seal)

PHYLLIS E WEBSTER
COMM. #2197785
SAN DIEGO COUNTY
NOTARY PUBLIC-CALIFORNIA
MY COMMISSION EXPIRES
JUNE 15, 2021

PRJ-76284
04/22/19

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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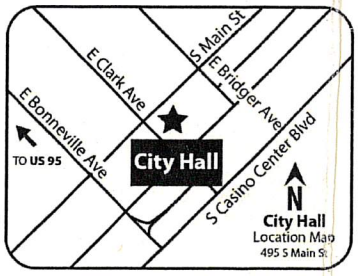

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-76337 [PRJ-76284]
City Council Meeting of **JULY 17, 2019**

PRJ-76284
16202116043
PROCK ROCCO L & DONA J
1641 CURTIS DR
LAS VEGAS NV 89104-1850

93 DRDFNP1 89104

Submitted after final agenda
Item 95

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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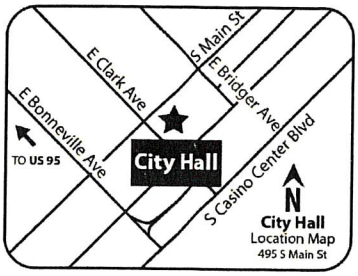

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-76337 [PRJ-76284]
City Council Meeting of **JULY 17, 2019**

PRJ-76284
13935413164
R Z M Z FAMILY L L C - SERIES 4
2010 E CHARLESTON BLVD
LAS VEGAS NV 89104-2018

93 DRDFNP1 89104

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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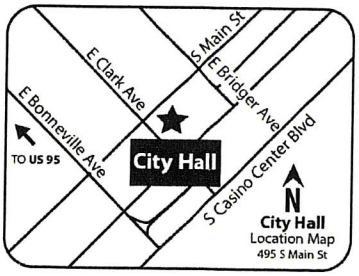
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-76337 [PRJ-76284]
City Council Meeting of **JULY 17, 2019**

PRJ-76284
13935413068
MURPHY MELISSA ELLEN & MACHIKO I
218 SPENCER ST
LAS VEGAS NV 89101

Submitted after final agenda
Item 95

87 DRDFNP1 89101

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

PRSRT
FIRST CLASS MAIL
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Las Vegas, NV
Permit No. 1630

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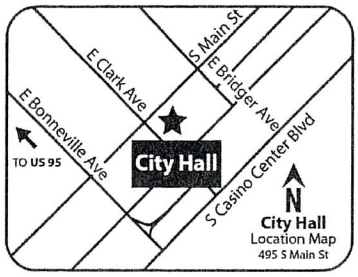

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JUN 10
Dept of Planning
City of Las Vegas

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-76337 [PRJ-76284]

Planning Commission Meeting of **06/11/2019**

PRJ-76284
16202116043
PROCK ROCCO L & DONA J
1641 CURTIS DR
LAS VEGAS NV 89104-1850

93 DRDFMP1 89104

Submitted after final agenda

17P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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Permit No. 1630

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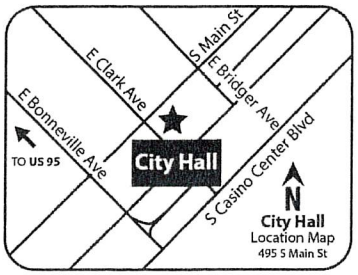

RECEIVED
Dept of Planning
City of Las Vegas

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-76337 [PRJ-76284]
Planning Commission Meeting of **06/11/2019**

PRJ-76284
13935413068
MURPHY MELISSA ELLEN & MACHIKO I
239 SPENCER ST
LAS VEGAS NV 89101

87 DRDFNP1 89101

Submitted after final agenda

17A

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
96

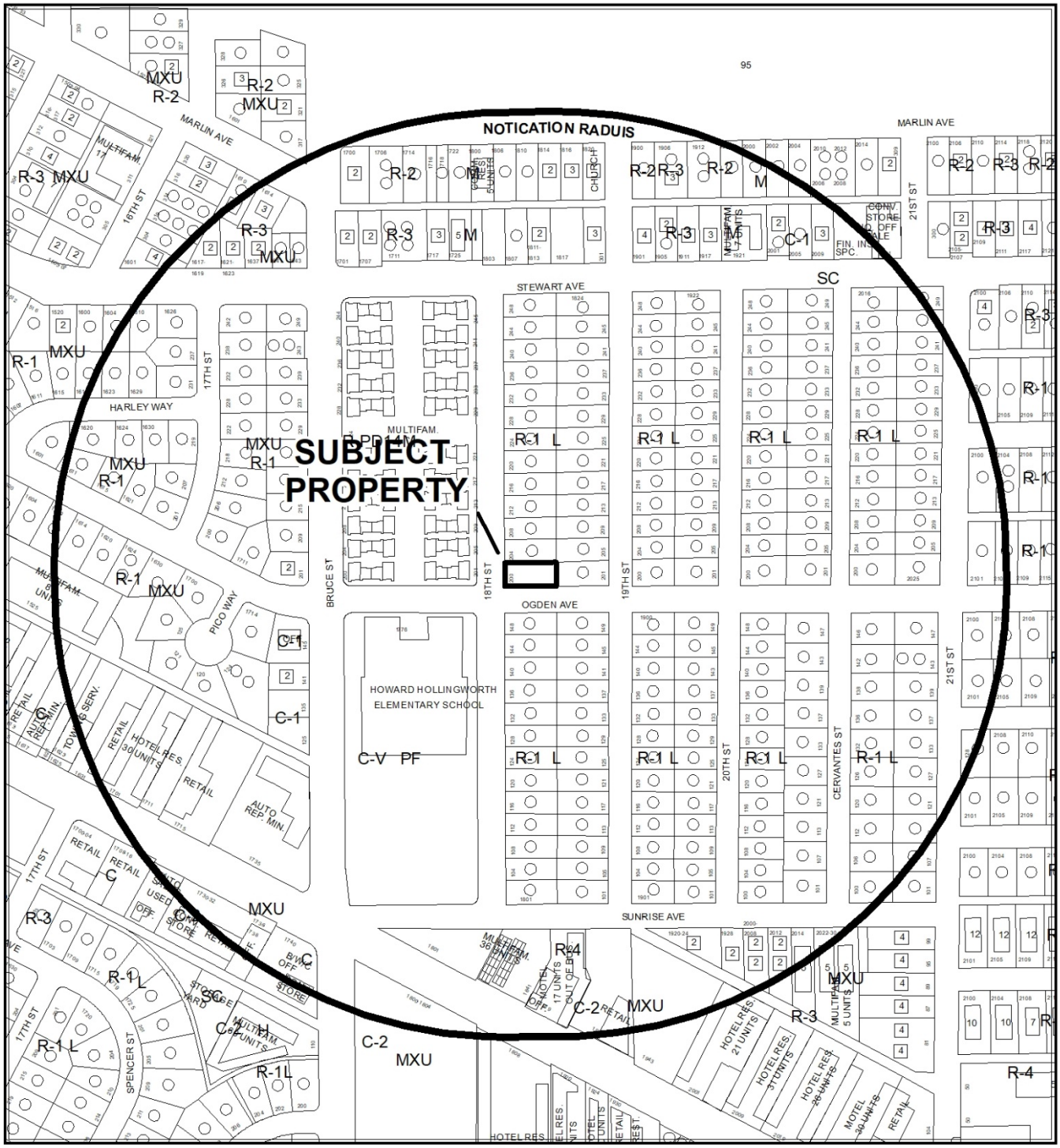
DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
VAR-76293 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CYPRUS SUB 2, LLC - For possible action on a request for a Variance TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED; A 10-FOOT REAR YARD AND A 12-FOOT CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED FOR A PROPOSED SINGLE FAMILY DWELLING on 0.14 acres at the northeast corner of Ogden Avenue and 18th Street (APN 139-35-711-013), R-1 (Single Family Residential) Zone, Ward 3 (Coffin) [PRJ-76106]. Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting	1	City Council Meeting	1

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to conditions:

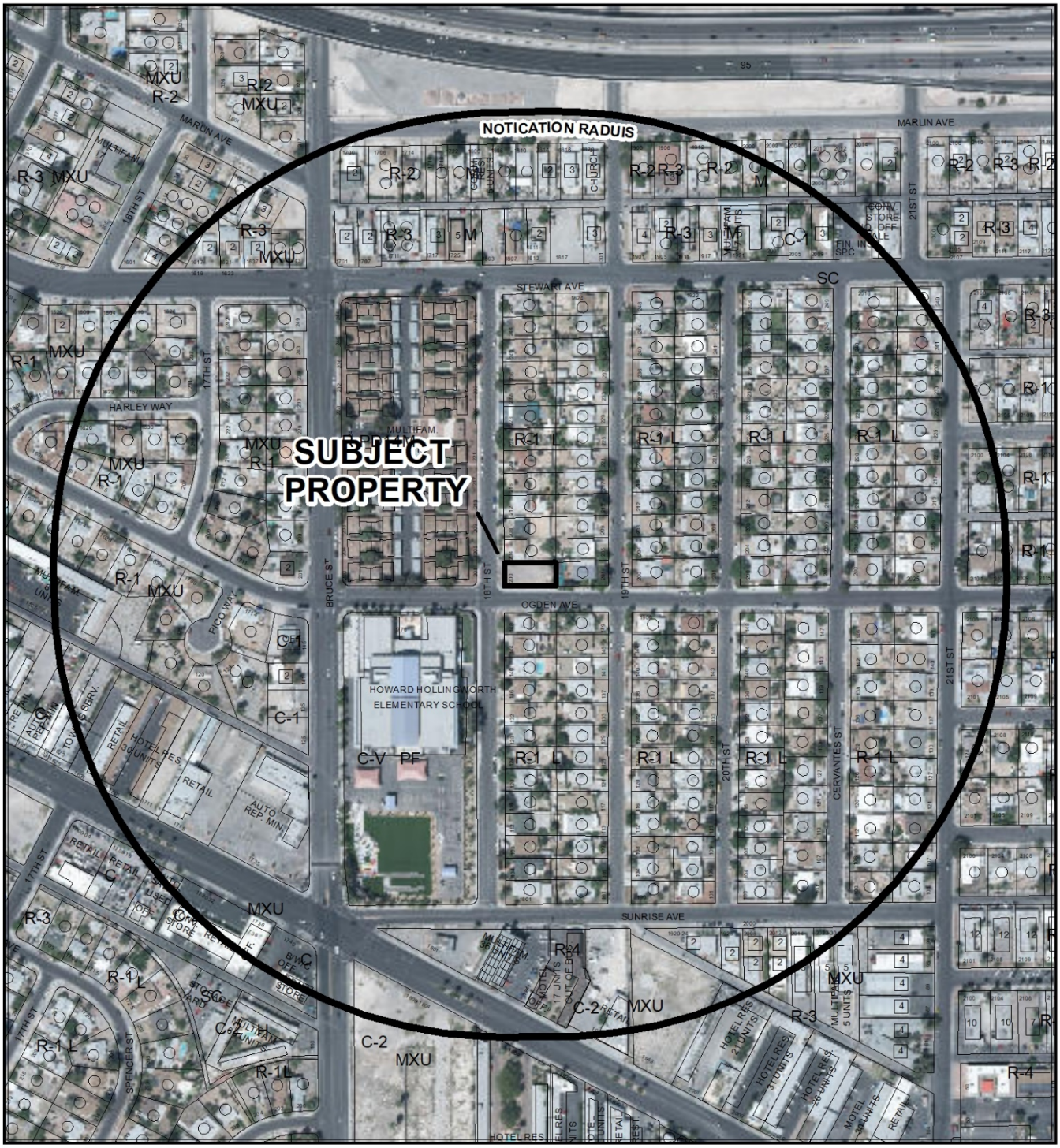
BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo(s)
5. Justification Letter
6. Submitted after Final Agenda – Protest/Support Postcards
7. Backup Submitted at the June 11, 2019 Planning Commission Meeting



CASE: **VAR-76293 (PRJ-76106)**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL) ZONE



0 255 510 Feet

CASE: **VAR-76293 (PRJ-76106)**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL) ZONE

N

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT/OWNER: CYPRUS SUB 2, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
VAR-76293	Staff recommends DENIAL, if approved subject to conditions:	

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 44

NOTICES MAILED 469 (By City Clerk)

PROTESTS 1

APPROVALS 1

CS

**** CONDITIONS ****

VAR-76293 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

3. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to construct a single-family dwelling within the required front, corner side and rear yard setback areas at 202 North 18th Street.

ISSUES

- Variance (VAR-76293) is requested to allow a five-foot front yard setback where 20 feet is required for a principal dwelling. Staff does not support the request.
- Variance (VAR-76293) is requested to allow a 12-foot corner side yard setback where 15 feet is required for a principal dwelling. Staff does not support the request.
- Variance (VAR-76293) is requested to allow a 10-foot rear yard setback where 15 feet is required for a principal dwelling. Staff does not support the request.

ANALYSIS

The subject site is located within the R-1 (Single Family Residential) zoning district and is subject to Title 19 development standards. The currently undeveloped property is located on a corner-lot within an existing primarily single-family, detached residential neighborhood. There is a multi-family residential development located on property adjacent to the west and an elementary school located directly southwest of the subject site. The submitted plans depict a proposed single-family dwelling made of shipping containers. A courtyard area featuring a pool and spa is depicted in the center of the subject property. Site access is provided by 18th Street and Ogden Avenue.

It is noted that the existing subject lot falls below the minimum lot size and lot width requirements of Title 19.06.070. The subject lot has a minimum lot width of 52 feet where 60 feet is required and a lot size of 6,098 square feet where 6,500 square feet is required. However, staff still recommends denial of the single-family dwelling development as the proposed configuration is not harmonious and compatible with the existing neighborhood. If the requested Variance is approved, it will be subject to conditions.

FINDINGS (VAR-76293)

In accordance with the provisions of Title 19.16.140(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

> "Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to construct a single-family dwelling that does not meet Title 19.06.070 development standard requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc	
06/11/19	The Planning Commission unanimously voted to recommend APPROVAL of a Variance (VAR-76293) TO ALLOW A FIVE-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED; A 10-FOOT REAR YARD AND A 12-FOOT CORNER SIDE YARD SETBACK WHERE 15 FEET IS REQUIRED FOR A PROPOSED SINGLE FAMILY DWELLING on 0.14 acres at the northeast corner of Ogden Avenue and 18th Street (APN 139-35-711-013), R-1 (Single Family Residential) Zone, Ward 3 (Coffin) [PRJ-76106].

Most Recent Change of Ownership	
12/24/18	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses
There are no related building permits/business licenses for the subject site.

Pre-Application Meeting	
03/26/19	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed Variance request.

Neighborhood Meeting
A Neighborhood meeting was not required, nor was one held.

Field Check	
05/02/19	Staff conducted a routine field check and found an undeveloped corner lot. No issues were noted.

Details of Application Request	
Site Area	
Net Acres	0.14

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Undeveloped	L (Low Density Residential)	R-1 (Single Family Residential)
North	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
South	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
East	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	Multi-Family Residential	M (Medium Density Residential)	R-PD14 (Residential Planned Development – 14 Units per Acre)

Master and Neighborhood Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Area and Overlay Districts	***Compliance***
No Applicable Special Area or Overlay Districts	N/A

Other Plans or Special Requirements	*Compliance*
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.070, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	6,500 SF	6,098 SF	N
Min. Lot Width	60 Feet	52 Feet	N
Min. Setbacks			
• Front	20 Feet	5 Feet	N*
• Side	5 Feet	5 Feet	Y
• Corner	15 Feet	12 Feet	N*
• Rear	15 Feet	10 Feet	N*
Max. Lot Coverage	50 %	48 %	Y
Max. Building Height	2 Stories/35 Feet	2 Stories/22 Feet	Y

*The applicant has requested the subject Variance to allow reduced setback requirements.

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
18th Street	Local Street	Title 13	60 Feet	Y
Ogden Street	Local Street	Title 13	55 Feet	Y

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) Variance

Project Address (Location) 202 N. 18th Street

Project Name Container Courtyard Living **Proposed Use** Primary Residence

Assessor's Parcel #(s) 139-35-711-013 **Ward #** 3

General Plan: Existing L Proposed No change **Zoning:** Existing R-1 Proposed No change

Additional Information

Property Owner Cyprus Sub 2, LLC **Contact** Stavros Georgiou

Address 7450 S. Eastern Ave #2063 City Las Vegas State NV Zip 89123

E-mail stavros9463@gmail.com Phone 702-218-9621

Applicant Contact

Address City State Zip

E-mail Phone

Representative Stavros Georgiou **Contact** Stavros Georgiou

Address 7450 S. Eastern Ave #2063 City Las Vegas State NV Zip 89123

E-mail stavros9463@gmail.com Phone 702-218-9621

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes ☑ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official **Partner(s)**

Partner(s)

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature

An authorized agent may sign in lieu of the property owner for ~~Final Maps,~~ Tentative Maps and Parcel Maps

Print Name Stavros Georgiou

Subscribed and sworn before me

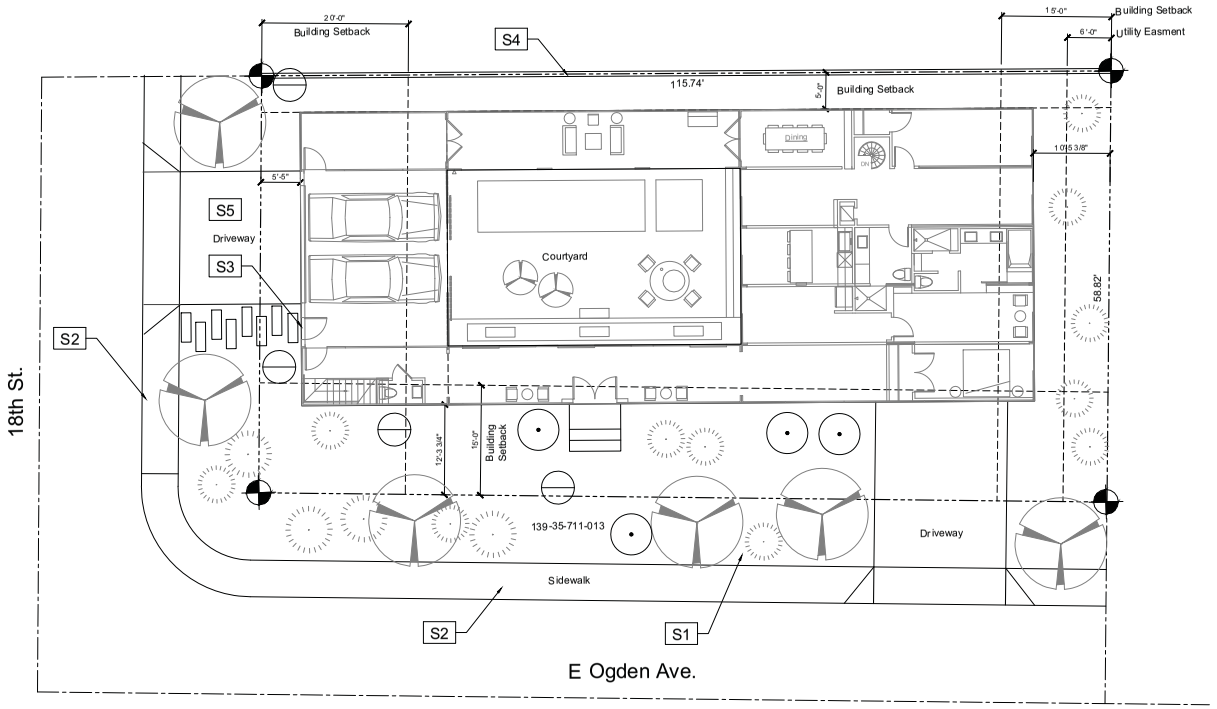
This 15th day of April, 2019

Rex B Collins Nevada, Clark County

Notary Public in and for said County and State

REX B COLLINS
Notary Public State of Nevada
No. 17-3537-1
My Appt. Exp. March 7, 2021

PRJ-76106
04/16/19



1 A1.1 Site Plan
SCALE: 1/8" = 1'-0"

SITE NOTES

- S1 LANDSCAPE AREA; W/ DRIP IRRIG. DECOMPOSED GRANITE
- S2 CONCRETE SIDEWALK
- S3 BUILDING ENTRANCE
- S4 6' HIGH BLOCK BOUNDARY WALL
- S5 DRIVEWAY

LANDSCAPING LEGEND / KEYNOTES

- 24" box - Chilean Mesquite (Prosopis chilensis)
- Texas Ranger (5 Gal.)
- Yucca (5 Gal.)
- Nevada Agave (5 Gal.)
- L1 NEW LANDSCAPED AREA.
- L2 LANDSCAPE ROCK; DECOMPOSED GRANITE

PROJECT INFORMATION

Land Use Application:	Design Review
A.P.N.	139-35-711-013
Owner Name:	CYPRUS SUB 2 L L C
Site Address:	202 N. 18th St.
Jurisdiction:	City of Las Vegas, NV
Zoning:	Single Family Resident District (R-1)
T-R-S:	21-61-35
Lot Block:	Lot:13 Block:1
Lot Size:	0.14 acres

SITE/PARKING ANALYSIS

ADJACENT ZONING:
NORTH = R-1 (Single Family Residential)
EAST = R-1 (Single Family Residential)
SOUTH = R-1 (Single Family Residential)
WEST = R-1 (Single Family Residential)

LOT AREA	BLDG. AREA	% SITE COV.	ALLOWABLE
LOT 1 = 0.14 AC (6,700 SF)	LEV 1 AREA = 2,560 SF	48 %	50 %
	LEV 2 AREA = 800 SF		
	TOTAL = 3,360 SF		

BUILDING HEIGHT

ALLOWABLE	PROVIDED
30'-0"	21'-6" MAX

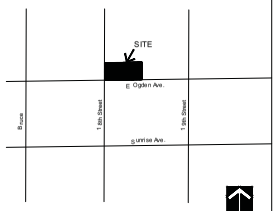
SETBACKS

	REQ.	PROVIDED
FRONT (WEST)	20'-0"	5'-5"
REAR (EAST)	15'-0"	10'-0"
SIDE (NORTH)	5'-0"	5'-0"
SIDE (SOUTH)	15'-0"	12'-3"

SITE LEGEND

- FENCE (STEEL)
- SETBACK LINE
- PROPERTY LINES
- 6" CONCRETE CURBING

VICINITY MAP



e.v.a.
EVAN VAUSE
architect
PO BOX 530543 T:(702) 286-4790
Henderson, NV
89053 cypressswamp@icloud.com

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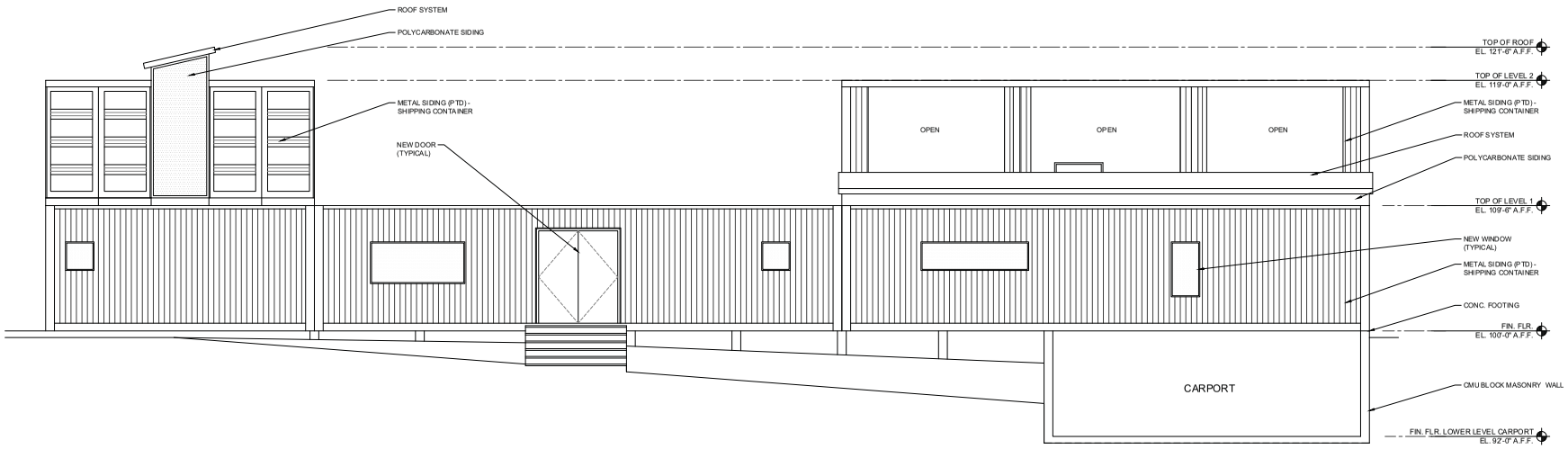
Description | Date | Rev.

Container House
202 18th Street
Las Vegas, NV

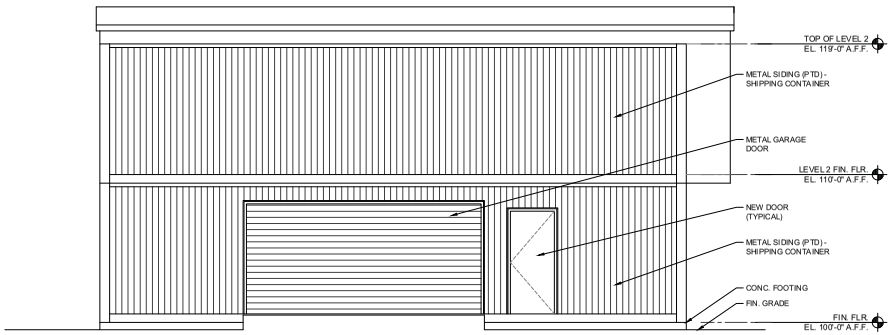
Sheet Title
Site Plan

PRJ-76106
04/16/19

Project No.	
file name:	
Drawn By:	EV
Checked By:	EV
Date:	
Sheet No.	A1.1



1 / A4.1 South Elevation (Ogden Ave.)
SCALE: 1/4" = 1'-0"



2 / A4.1 West Elevation (18th St.)
SCALE: 1/4" = 1'-0"

e.v.a.
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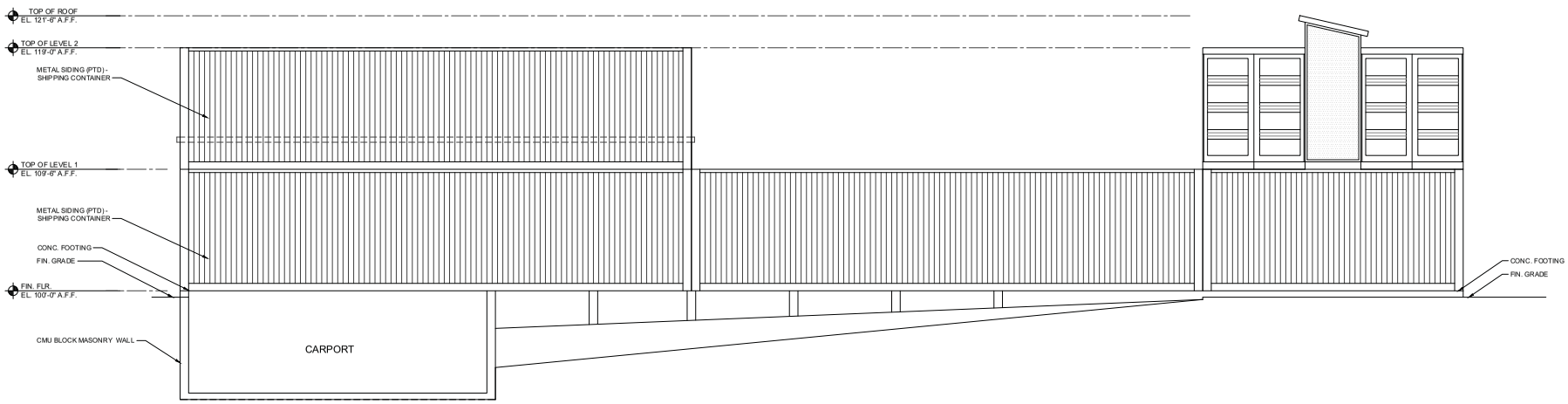
Description | Date | Rev.

Container House
202 18th Street
Las Vegas, NV

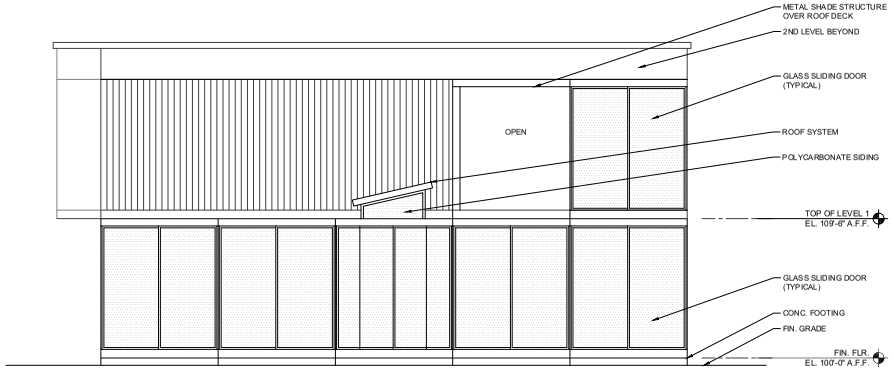
Sheet Title
EXTERIOR ELEVATIONS

PRJ-76106
04/16/19

Project No.
file name:
Drawn By: EV
Checked By: EV
Date:
Sheet No.
A4.1



1 A4.2 North Elevation
SCALE: 1/4" = 1'-0"



2 A4.2 East Elevation
SCALE: 1/4" = 1'-0"

City Council - Page 1898

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Description | Date | Rev.

Container House
202 18th Street
Las Vegas, NV

Sheet Title
EXTERIOR ELEVATIONS

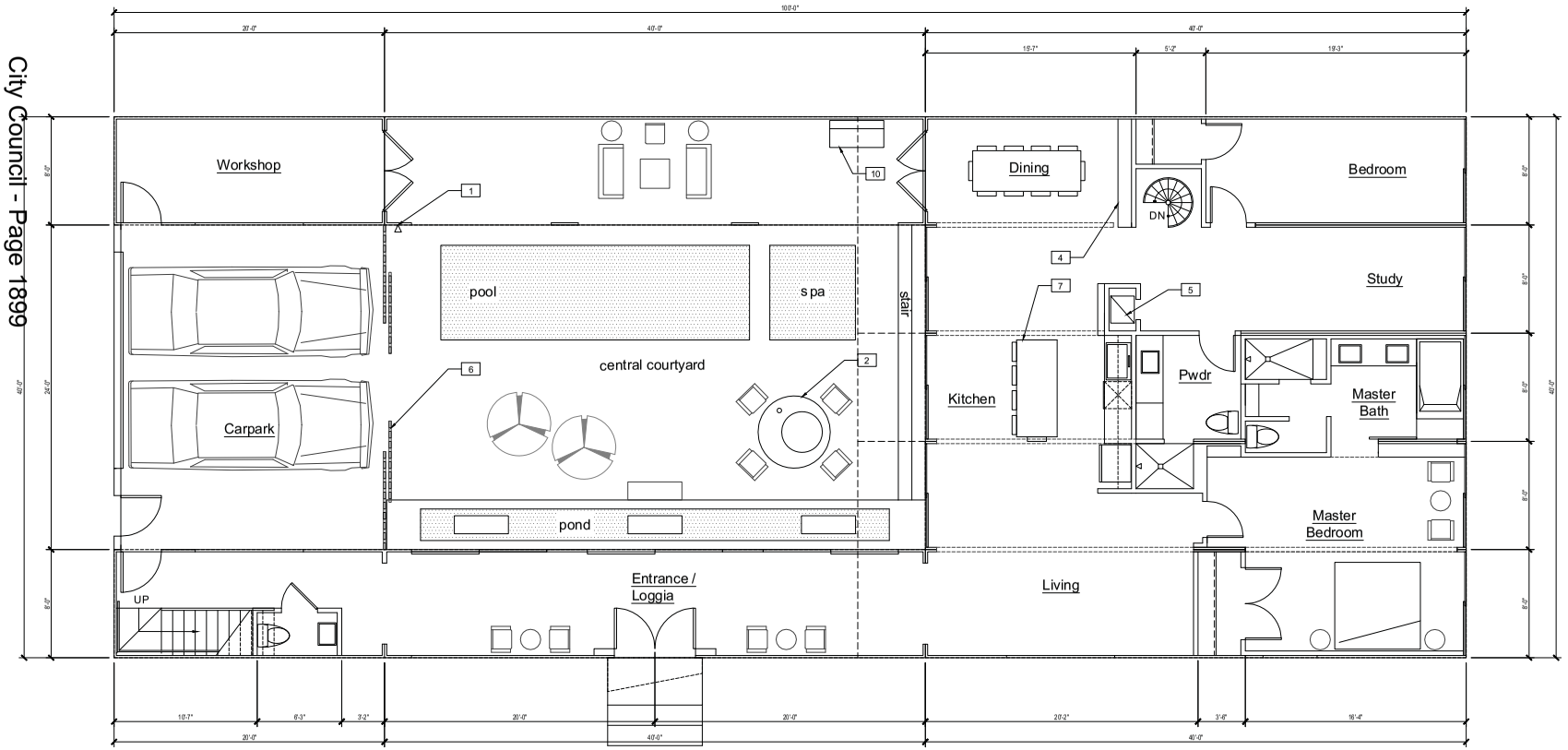
PRJ-76106
04/16/19

Project No.
file name:
Drawn By: EV
Checked By: EV
Date:
Sheet No.
A4.2

City Council - Page 1899

KEY NOTES

1	SHOWER
2	FIRE PIT
3	COY POND
4	WINE STORAGE
5	DUMBWAITER
6	GATE SYSTEM
7	KIT ISLAND
8	ROOF BELOW
9	HANDRAIL
10	BBQ



1 First Floor Plan
A2.1 SCALE: 1/4" = 1'-0"

PRJ-76106
04/16/19

e.v.a.
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Rev. | Date | Description

Container House
202 18th Street
Las Vegas, NV

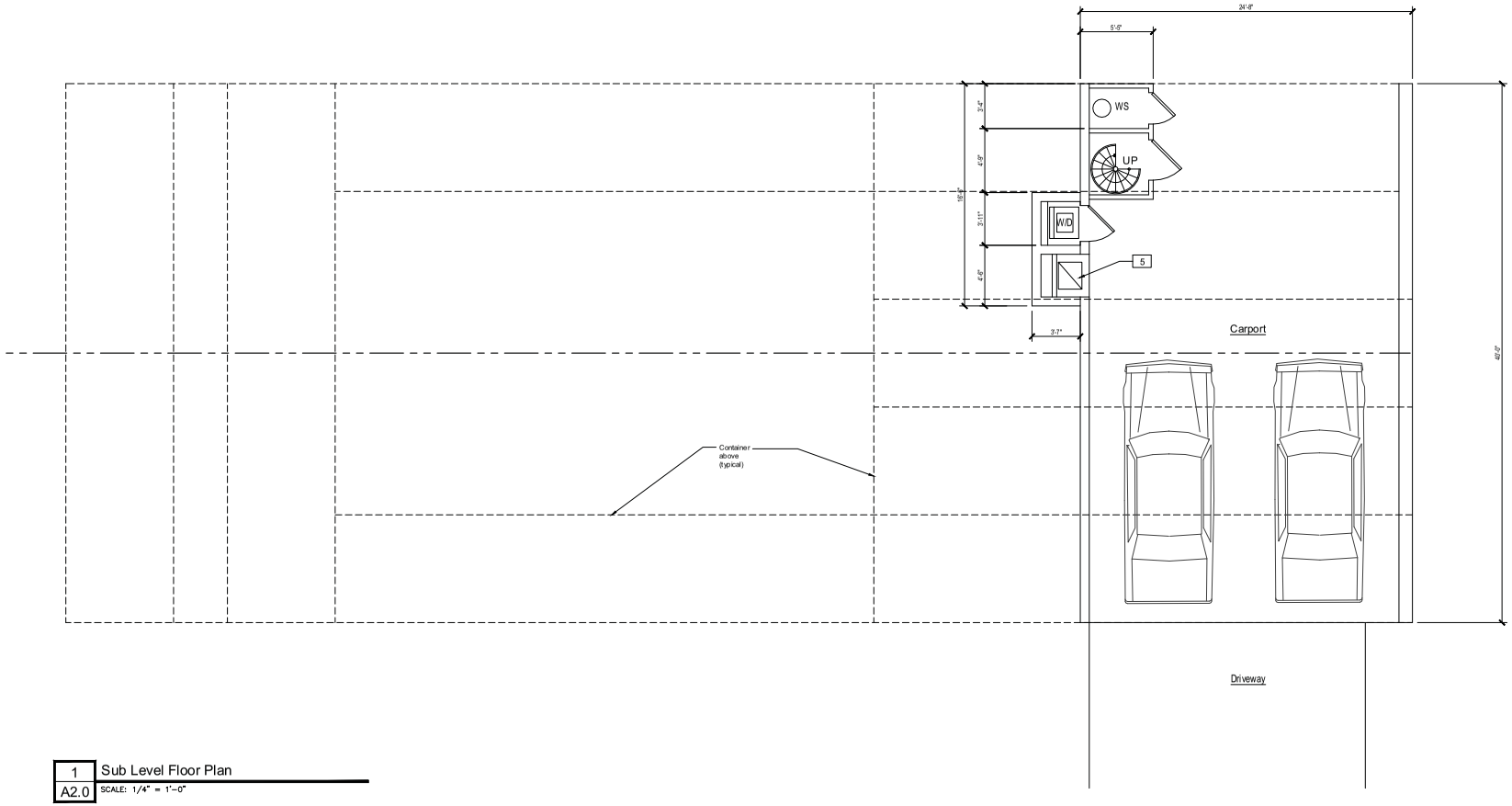
Sheet Title

FLOOR PLAN
& ELEVATIONS

Project No.
file name:
Drawn By: EV
Checked By: EV
Date:
Sheet No.
A2.1

City Council - Page 1900

KEY NOTES	
1	SHOWER
2	FIRE PIT
3	COY POND
4	WINE STORAGE
5	DUMBWAITER
6	GATE SYSTEM
7	KIT ISLAND
8	ROOF BELOW
9	HANDRAIL
10	BBQ



1 A2.0 Sub Level Floor Plan
SCALE: 1/4" = 1'-0"

PRJ-76106
04/16/19

e.v.a.
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Rev. | Date | Description

Container House
202 18th Street
Las Vegas, NV

Sheet Title
Sub Level
FLOOR PLAN

Project No.
file name:
Drawn By: EV
Checked By: EV
Date:
Sheet No.
A2.0



PRJ-76106
04/16/19



VAR-76293 [PRJ-76106] - VARIANCE - APPLICANT/OWNER: CYPRUS SUB 2, LLC
NORTHEAST CORNER OF OGDEN AVENUE AND 18TH STREET

05/02/2019



VAR-76293 [PRJ-76106] - VARIANCE - APPLICANT/OWNER: CYPRUS SUB 2, LLC
NORTHEAST CORNER OF OGDEN AVENUE AND 18TH STREET

05/02/2019

Justification Letter

Stavros Georgiou
7450 S. Eastern Ave #2063
Las Vegas NV 89123

Re: Container Courtyard Living

To Whom It May Concern:

I am writing this letter for your consideration in a project I am working on in the Ward 3 District of Downtown. The location is on the corner of 18th St. & Ogden. I plan to incorporate used shipping containers as the structure of the home. The project is called Container Courtyard Living. The containers would surround the perimeter of the property enclosing a lush interior courtyard. Building green is very important to me and repurposing the shipping containers gives them another life while incorporating solar panels and wind technology will be a priority for energy conservation. The style will be modern bright interiors with large windows and plenty of light. This will be my home.

Working with shipping containers does have its limits. They have been standardized in sizes, which gives them their massive appeal globally for all shipping matters. My medium is working with 20 ft. and 40 ft. length containers. This pushes me into variance territory with some of my setbacks while trying to maximize my property size and the interior courtyard living space. The right of way on my property by the city still gives plenty of space needed by the city in the future if needed to complete any tasks such as road widening with out impeding on my structure as it does not exceed the official property lines. The feedback I received from the planning department said they didn't foresee a reason for road widening in the future on 18th street. I hope you feel the same and grant my design.

I am also requesting to place a second floor container on the north end of the main building as an open cabana to a rooftop deck. The overall height of the structure at the carport section of the home will be 27 feet, this is below the height restriction maximum of 35feet under the unified Development Code. The challenge I am encountering is that the carport, that is located on the far end of the property that naturally slopes down 5 ft from the first level located on 18th street, is being interpreted as a first floor when in fact it is below grade and I will need to dig down an additional 3 feet to obtain the 8 ft. height I would like for the carport. The carport is located at the east end of the property accessible on Ogden. If the below grade carport is in fact considered a first floor, I respectfully request to be granted permission to include in my design the rooftop deck cabana to be allowed in this design.

PRJ-76106
04/16/19

The unique corner location also serves as a beautiful artistic palette that I intend to dedicate to the city for local artists to produce beautiful colorful murals that can change a few times a year to keep fresh while also inducing an artistic attraction for a downtown region that is beyond the current scope of rehabilitation. My hope is to be a catalyst to spur increased investment in the area that certainly needs it. This unique building structure will hopefully become an inspiration for other projects to contribute to the affordable housing issues this city faces that I would love to be a part of.

Sincerely,

Stavros Georgiou

PRJ-76106
04/16/19

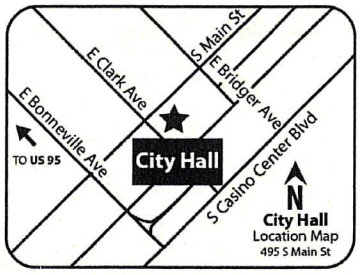
City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

RECEIVED
CITY CLERK

2019 JUL 15 P 12:32

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-76293 [PRJ-76106]
City Council Meeting of **JULY 17, 2019**

PRJ-76106
13935711090
SHORT FORM TRUST AGREEMENT
BREIMON JANE C TRS
P O BOX 698
KAILUA HI 96734-0698

132 ORDFNP1 96734

Submitted after final agenda
Item 96

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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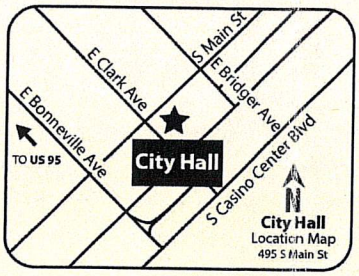
Las Vegas, NV
Permit No. 1630

RECEIVED
CITY CLERK

2019 JUL -8 P 4:50

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-76293 [PRJ-76106]
City Council Meeting of **JULY 17, 2019**

PRJ-76106
13935611094
SALAZAR EDUARDO J
JAIMES JUANA A
6628 RUBY SUMMIT AVE
LAS VEGAS NV 89110-2893

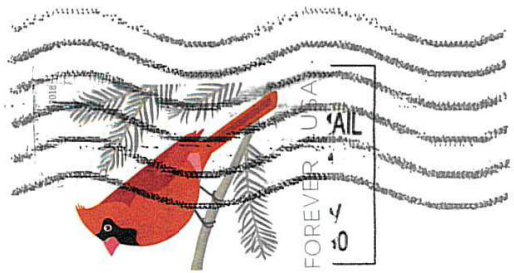
103 DRDFNP1 89110

Submitted after final agenda
Item 96

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

SANTA ANA CA 926
03 JUN 2019 PM 3 L



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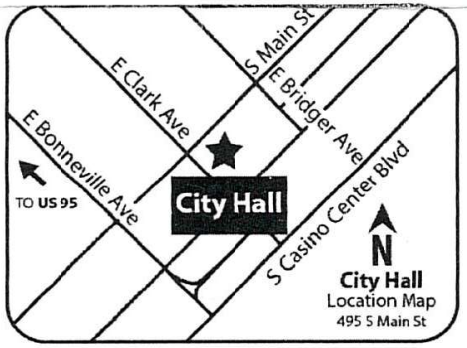
JUN 1 2019
Dept of Planning
City of Las Vegas

Return Service Requested

Official Notice of Public Hearing



City Council - Page 109

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-76293 [PRJ-76106]

Planning Commission Meeting of **06/11/2019**

PRJ-76106
13935710042
BAYDALINE JANE G
901 S ISABELLA AVE
MONTEREY PARK CA 91754-3930

100 DRDFNP1 91754

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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Las Vegas, NV
Permit No. 1630

Return Service Requested
Official Notice of Public Hearing



RECEIVED
JUN 1 2019
Dept of Planning
City of Las Vegas

City Council - Page 190

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-76293 [PRJ-76106]
Planning Commission Meeting of **06/11/2019**

PRJ-76106
13935711013
CYPRUS SUB 2 L L C
7450 S EASTERN AVE #2063
LAS VEGAS NV 89123

89 DROPNP1 89123

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
97

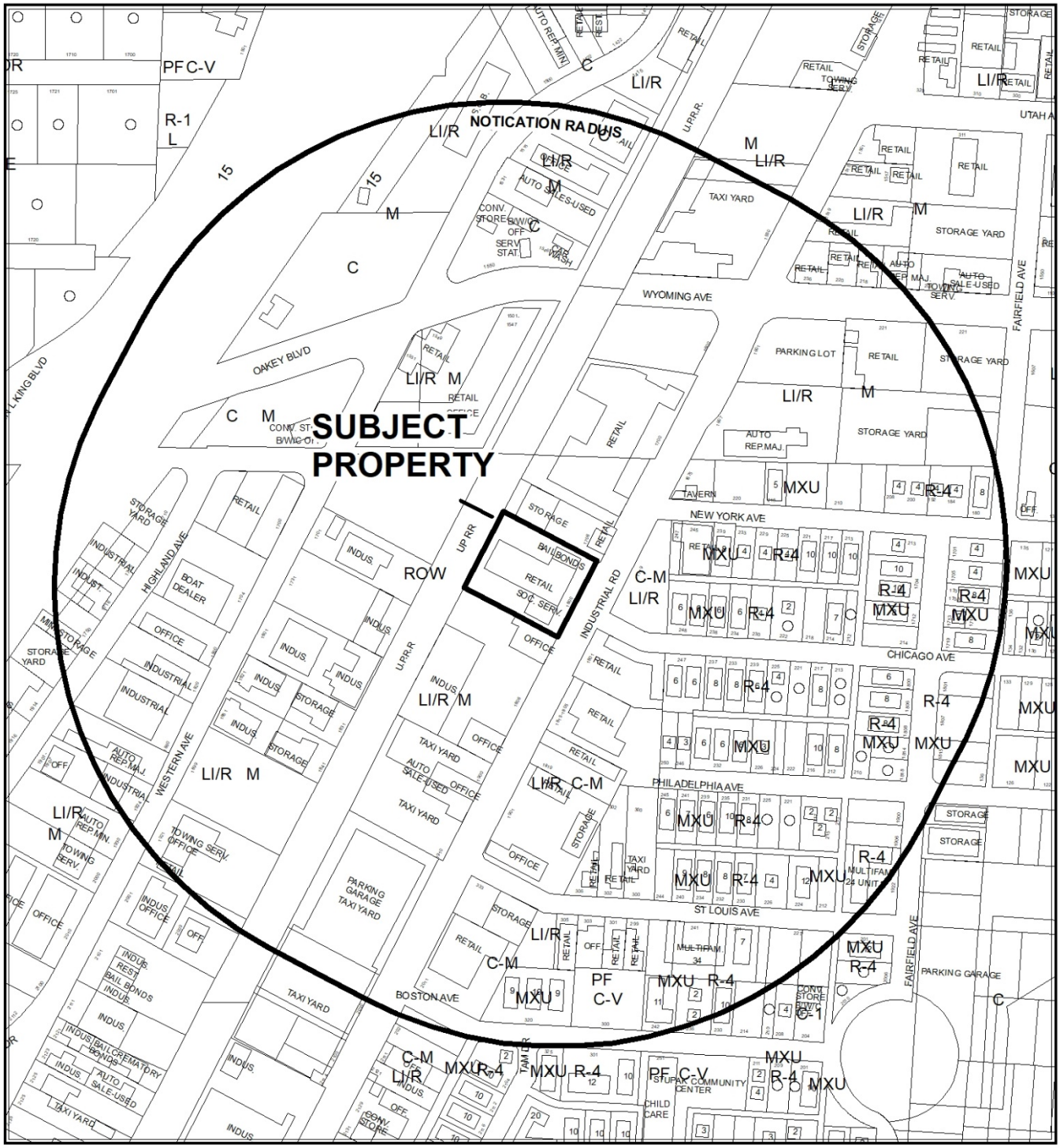
DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
VAR-76344 - VARIANCE - PUBLIC HEARING - APPLICANT: BEN SILLITOE - OWNER: 1800 INDUSTRIAL, LLC - For possible action on a request for a Variance TO ALLOW A ZERO-FOOT SETBACK WHERE FIVE FEET IS REQUIRED FOR TWO PROPOSED MONUMENT SIGNS at 1800 Industrial Road (APN 162-04-704-003), M (Industrial) Zone, Ward 3 (Coffin) [PRJ-76245]. The Planning Commission (4-0-1 vote) and Staff recommend DENIAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	0	Planning Commission Mtg.	0
City Council Meeting	1	City Council Meeting	0

RECOMMENDATION:
The Planning Commission (4-0-1 vote) and Staff recommend DENIAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photo(s)
5. Justification Letter
6. Submitted after Final Agenda – Protest Postcard



CASE: **VAR-76344 (PRJ-76245)**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL) ZONE



CASE: **VAR-76344 (PRJ-76245)**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL) ZONE

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: BEN SILLITOE - OWNER: 1800 INDUSTRIAL, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
VAR-76344	Staff recommends DENIAL, if approved subject to conditions:	

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 27

NOTICES MAILED 165 (By City Clerk)

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

VAR-76344 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

3. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is requesting a Variance to allow a zero-foot setback from the front property line where five feet is required for two proposed double-sided, four-foot tall, 6.67 square-foot monument signs at an existing Marijuana Dispensary located at 1800 Industrial Road.

ISSUES

- Pursuant to Title 19.08.120(F)(13), the monument sign minimum setback is five feet from all property lines. Both proposed monument signs are zero feet from the front property line. Staff does not support this request.

ANALYSIS

The subject property contains an existing Commercial Development with an existing Marijuana Dispensary development ('Oasis Cannabis') that is located within the M (Industrial) zoning district.

The applicant is proposing two double-sided monument signs that are zero feet from the front property line facing Industrial Road. Pursuant to Title 19.08.120, the required setback for a monument sign is five feet from all property lines. Both monument signs will be located in the existing landscaping area in front of the parking lot adjacent to Industrial Road.

The applicant's justification letter states: "The parking lot along the front of the building is designed for a one-way traffic flow, from north to south, but vehicles often go the wrong way because they entered on the south side of the parking lot. The new signs will help reduce confusion about how to enter and exit the property and reduce traffic congestion on the parking lot used by Oasis Cannabis customers and employees, as well as other tenants and their respective customers at 1800 Industrial Road."

The proposed monument signs are positioned over two landscape islands containing trees thus requiring removal of existing planting materials. While moving the proposed monument signs five feet from the property line would allow conformance with Title 19 requirements, this would result in encroachment onto the existing drive aisle. However, an existing wall sign for the Marijuana Dispensary is contained on the subject site;

additionally, the use is advertised on a billboard located adjacent to the subject site facing Industrial Road. As such, staff has determined that the proposed signage is inconsistent with the intent of the Title 19.08.120 Commercial and Industrial District Sign development standards; therefore, staff recommends denial of this project.

FINDINGS (VAR-76344)

In accordance with the provisions of Title 19.16.140(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.16.140(L) states:

> "Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented. The subject site already contains a wall sign advertising the use; in addition, the use is advertised on a billboard adjacent to the subject site. It is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
03/26/96	The Board of Zoning Adjustment approved a request for a Special Use Permit (U-0013-96) for a Substance Abuse Clinic at 1750 Industrial Road.
10/29/14	The City Council approved a request for a Special Use Permit (SUP-55300) for a proposed 4,969 Square-Foot Medical Marijuana Dispensary at 1800 Industrial Road, Suites #102, #160 and #180. Planning Commission and staff recommended approval.

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
05/20/15	A Major Amendment (ARC-59088) of an approved Building and Sign Elevation Review was approved for an approved 4,969 square-foot Medical Marijuana Dispensary at 1800 Industrial Road, Suite #180.
06/21/17	The City Council approved a request for a Review of Conditions (ROC-70584) an approved Special Use Permit (SUP-55300) To Allow A Dual Use Marijuana Dispensary at 1800 Industrial Road, Suite #180.
06/11/19	The Planning Commission (4-0-1 vote) recommends DENIAL on a request for a Variance (VAR-76344) TO ALLOW A ZERO-FOOT SETBACK WHERE FIVE FEET IS REQUIRED FOR TWO PROPOSED MONUMENT SIGNS at 1800 Industrial Road (APN 162-04-704-003), M (Industrial) Zone, Ward 3 (Coffin) [PRJ-76245].

Most Recent Change of Ownership	
02/28/13	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
07/29/15	A building permit (#279973) was issued for tenant improvements located at 1800 Industrial Road, #180. The permit was finalized on 12/07/15.
12/23/15	A business license (M62-00010) was issued for a Medical Marijuana Dispensary at 1800 Industrial Road, Suite #180. The permit became inactive on 12/03/18.
12/23/15	A business license (G63-09197) was issued for an Automated Teller Operator at 1800 Industrial Road. The permit is active.
02/18/16	A business license (G64-01243) was issued for General Retail Sales in conjunction with a Medical Marijuana Dispensary at 1800 Industrial Road, Suite #180. The permit became inactive on 02/20/19.
07/10/17	A business license (P65-00138) was issued for a Retail Marijuana Store (Rec Sales) at 1800 Industrial Road, Suite #180. The permit is active.
11/27/18	A business license (M66-00051) was issued for a Medical Marijuana Dispensary at 1800 Industrial Road, Suite #180. The permit is active.
11/27/18	A business license (M66-00052) was issued for a Retail Marijuana Store (Rec Sales) at 1800 Industrial Road, Suite #180. The permit is active.
02/20/19	A business license (G66-07378) was issued for General Retail at 1800 Industrial Road, Suite #180. The permit is active.

Pre-Application Meeting	
04/09/19	A pre-application meeting was conducted with the applicant to discuss the submittal requirements for a Variance.

Neighborhood Meeting
A Neighborhood meeting was not required, nor was one held.

Field Check	
05/02/19	A building containing a mix of retail and commercial uses, including a Marijuana Dispensary, was observed during a routine field visit.

Details of Application Request	
Site Area	
Gross Acres	1.26

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Marijuana Dispensary Bailbonds Social Service Provider Retail	LI/R (Light Industry/Research)	M (Industrial)
North	Retail Storage	LI/R (Light Industry/Research)	M (Industrial)
South	Office Industrial	LI/R (Light Industry/Research)	M (Industrial)
East	Vacant	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
West	Vacant	LI/R (Light Industry/Research)	M (Industrial)

Master and Neighborhood Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Area and Overlay Districts	***Compliance***
A-O (Airport Overlay) District – 200 Feet	Y
DTLV-O (Downtown Las Vegas Overlay) District – Area 1 (Design District)	Y
LW-O (Live/Work Overlay) District	Y

Other Plans or Special Requirements	*Compliance*
Trails	N/A
Las Vegas Redevelopment Plan Area – Area 1	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Street Name	*Functional Classification of Street(s)*	*Governing Document*	*Actual Street Width (Feet)*	*Compliance with Street Section*
Industrial Road	Primary Arterial	Master Plan of Streets and Highways	85	Y

Monument Sign: #1			
Standards	*Allowed*	*Provided*	*Compliance*
Maximum Number	1 / 200 Feet of street frontage	2 / 208 Feet of street frontage	Y
Maximum Area	75 SF /sign	6.67 SF	Y
Maximum Height	10 Feet	4 Feet	Y
Minimum Setback	5 Feet	0 Feet	N*
Additional Standards	All monument signs on the same lot shall maintain a minimum separation of 100 feet measured along the street frontage	140 Feet	Y
Illumination	N/A	N/A	N/A

* The applicant is requesting a Variance (VAR-75818) to reduce the allowable minimum setback requirement for a proposed monument sign.

Monument Sign: #2			
Standards	***Allowed***	***Provided***	***Compliance***
Maximum Number	1 / 200 Feet of street frontage	2 / 208 Feet of street frontage	Y
Maximum Area	75 SF /sign	6.67 SF (each signs)	Y
Maximum Height	10 Feet	4 Feet (both signs)	Y
Minimum Setback	5 Feet	0 Feet (both signs)	N*
Additional Standards	All monument signs on the same lot shall maintain a minimum separation of 100 feet measured along the street frontage	140 Feet separation	Y
Illumination	N/A	N/A	N/A

* The applicant is requesting a Variance (VAR-75818) to reduce the allowable minimum setback requirement for a proposed monument sign.

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) Variance

Project Address (Location) 1800 Industrial Road, Las Vegas, Nevada, 89102

Project Name PRJ-76245 **Proposed Use** 2 x Monument Signs

Assessor's Parcel #(s) 162-04-704-003 **Ward #** 3

General Plan: Existing LI / R Proposed LI / R **Zoning:** Existing M Proposed M

Additional Information OASIS ENTRANCE AND EXIT SIGNS

Property Owner 1800 Industrial LLC Contact Charles Fox

Address 1800 Industrial Road #104C City Las Vegas State NV Zip 89102

E-mail qualitycommerciallv@gmail.com Phone 702-429-1295

Applicant Oasis Cannabis Contact Ben Sillitoe

Address 1800 Industrial Road #180 City Las Vegas State NV Zip 89102

E-mail ben@oasiscannabis.com Phone 702-572-9730

Representative N/A Contact

Address City State Zip

E-mail Phone

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official **Partner(s)**

Partner(s)

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature

An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name Charles Fox

Subscribed and sworn before me

This 19th day of April, 20 19

Alisa J Steinhauer

Notary Public in and for said County and State Clark County, State of Nevada

ALISA J. STEINHAUER
Notary Public, State of Nevada
Appointment No. 13-11996-1
My Appt. Expires Jul 6, 2021

PRJ-76245
04/30/19

Sheet Title / Location: SITE PLAN

Date:
Scale: As shown
Job No.: 1
Revision:

Oasis Cannabis
Entrance and Exit Signs
1800 Industrial Road
Las Vegas, Nevada 89109

Sheet Number: A – 1

Revision

PRJ-76245
04/30/19

1 SITE PLAN
Scale: 1" = 20'

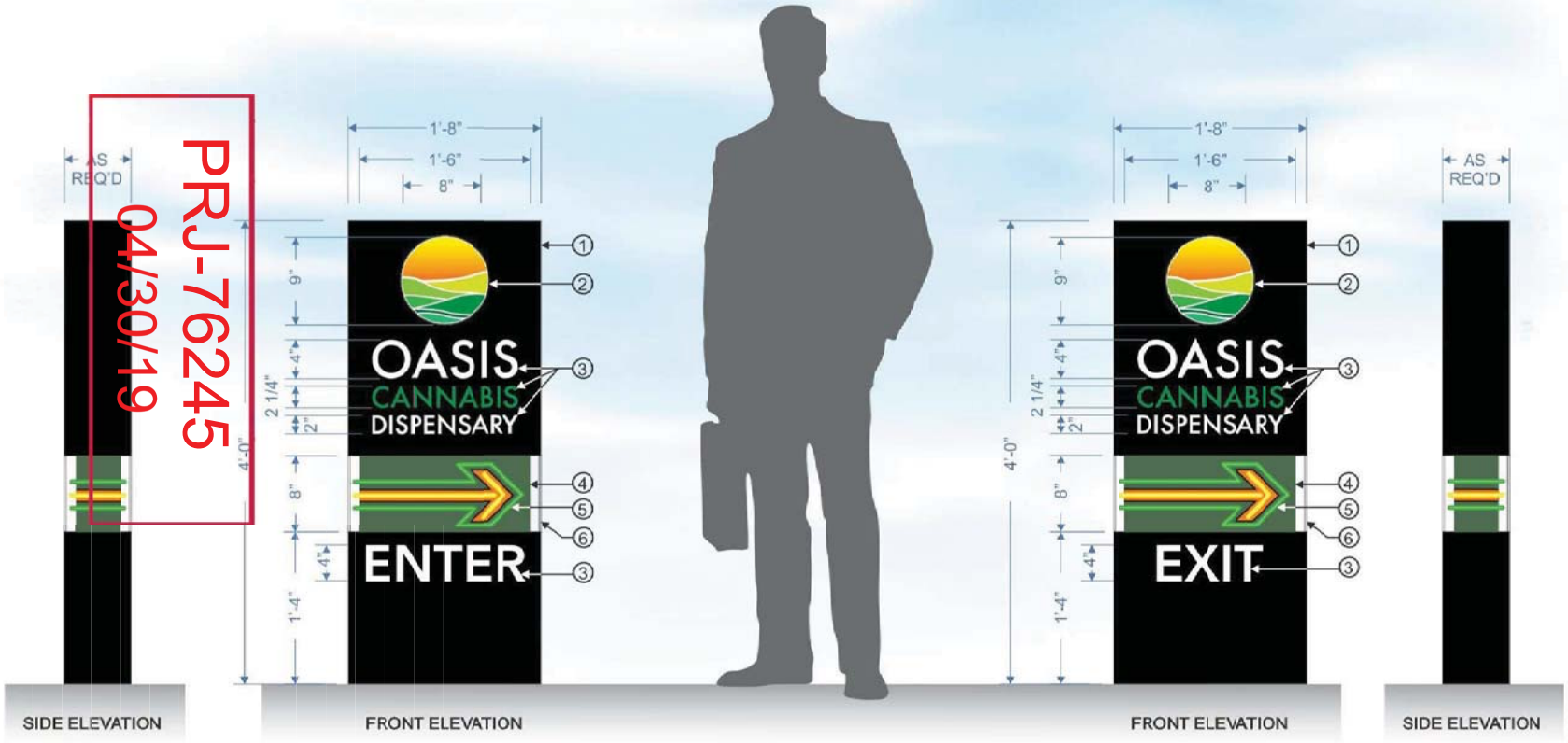
VICINITY MAP

FIELD VERIFY ALL DIMENSIONS PRIOR TO FABRICATION

NOTES

1. D/F ILLUMINATED FREESTANDING MONUMENT SIGN. ALUMINUM CONSTRUCTION. PAINTED SATIN BLACK. WHITE LED INTERNAL ILLUMINATION.
2. ROUTE OUT LOGO BACKED W/ WHITE ACRYLIC W/ DIGITALLY PRINTED VINYL OVERLAY.
3. ROUTE OUT COPY BACKED W/ WHITE ACRYLIC W/ GREEN VINYL OVERLAY ON LETTERS READING "CANNABIS".
4. RECESSED AREA PAINTED DK. GREEN W/ VINYL ORANGE ARROW AND BLACK ARROW OUTLINE.
5. 12MM YELLOW AND GREEN SKELETON NEON.
6. CLEAR ACRYLIC COVER.

PRJ-76245
04/30/19



MN-1 D/F ILLUMINATED MONUMENT SIGN
SCALE @ 1" = 1'-0" QTY = ONE (1) REQ'D

MN-2 D/F ILLUMINATED MONUMENT SIGN
SCALE @ 1" = 1'-0" QTY = ONE (1) REQ'D

KEEP OUT OF REACH OF CHILDREN. FOR USE ONLY BY ADULTS 21+

NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL.

YESCO LLC
LAS VEGAS DIVISION
5119 SO. CAMERON ST.
LAS VEGAS, NV 89118
PHONE: (702) 876-8080
WWW.YESCO.COM
NV CONTRACTOR LICENSE #87181, #0052681A/B/C/52

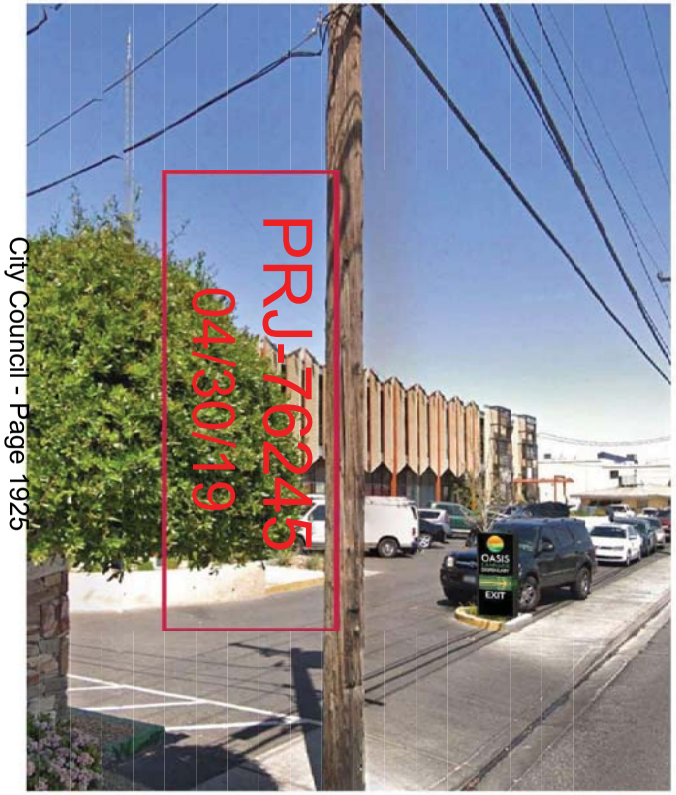
YESCO

Client Name & Address:
OASIS CANNABIS
1800 INDUSTRIAL RD.
LAS VEGAS, NV

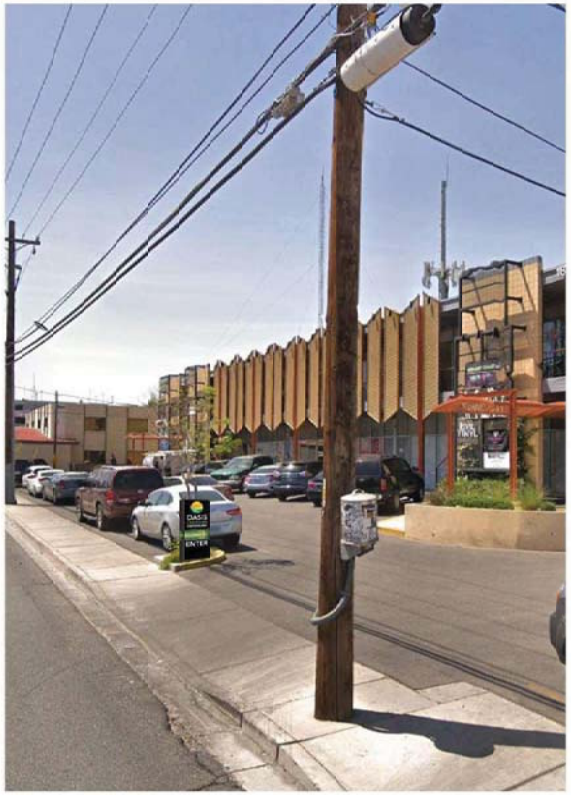
Project Tracking Number: 14327
Project Name: OASIS
Account Executive: RICHARD PURVIS
Designer: JAMIE PETERSON
Design Approvals
Checked by:
Creative Director:
Estimating:
Account Executive:
Client:

Rev. / Date / Designer
04/30/18 - JP
05/25/18 - JP
06/13/18 - JP
06/21/18 - JP
07/02/18 - JP
08/01/18 - JP
08/28/18 - JP

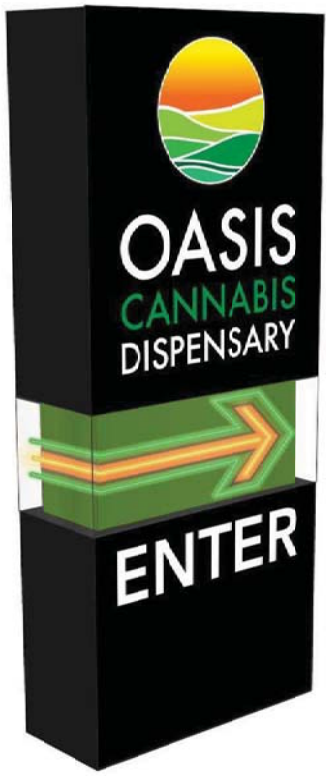
Description:
Classification:
Reference Design:
O.E.M Serial:
Sheet: 5.0



PROPOSED



PROPOSED



KEEP OUT OF REACH OF CHILDREN. FOR USE ONLY BY ADULTS 21+

NOTE: COST FOR PROVIDING NECESSARY ELECTRICAL WIRING TO SIGN AREA IS NOT INCLUDED IN SIGN PROPOSAL.

YESCO LLC
LAS VEGAS DIVISION
5119 SO. CAMERON ST.
LAS VEGAS, NV 89118
PHONE: (702) 876-8080
WWW.YESCO.COM

YESCO

Client Name & Address:
OASIS CANNABIS
1800 INDUSTRIAL RD.
LAS VEGAS, NV

Project Tracking Number:
14327

Project Name:
OASIS

Account Executive:
RICHARD PURVIS

Designer:
JAMIE PETERSON

Design Approvals

Checked by:

Creative Director:

Estimating:

Account Executive

Client:

Rev. / Date / Designer

04/30/18 - JP
1 05/25/18 - JP
2 06/13/18 - JP
3 06/21/18 - JP
4 07/02/18 - JP
5 08/01/18 - JP
6 08/28/18 - JP

Description:

Classificaton:

Reference Design:

O.E.M Serial:

Sheet:
5.1



VAR-76344 [PRJ-76245] - VARIANCE - APPLICANT: BEN SILLITOE - OWNER: 1800 INDUSTRIAL, LLC
1800 INDUSTRIAL ROAD

05/02/2019



VAR-76344 [PRJ-76245] - VARIANCE - APPLICANT: BEN SILLITOE - OWNER: 1800 INDUSTRIAL, LLC
1800 INDUSTRIAL ROAD

05/02/2019

Serenity Wellness Center, LLC dba
Oasis Cannabis
1800 Industrial Road, #180
Las Vegas, NV 89102

March 28, 2019

City of Las Vegas
Department of Planning
333 N. Rancho Drive
Las Vegas, NV 89106

Re: Oasis Cannabis Entrance and Exit Signs Variance Waiver Request; 1800 Industrial Road #180, Las Vegas, NV, 89102

Planning Commission and City Council:

The owners of Oasis Cannabis believe in and support the City of Las Vegas' Vision of *"A world-class, vibrant, affordable, economically and ethnically diverse, progressive city where citizens feel safe, enjoy their neighborhoods and access their city government."* Oasis Cannabis hopes to receive a code variance waiver to allow for the addition of two signs in order to improve traffic flow and public safety on the property. The safety improvement is in line with the City's Vision of creating a place where citizens feel safe.

The current parking lot flow allows for vehicle ingress and egress to the property at two locations along Industrial Road at the north and south ends of the property line. The parking lot along the front of the building is designed for a one-way traffic flow, from north to south, but vehicles often go the wrong way because they entered on the south side of the parking lot. The new signs will help reduce confusion about how to enter and exit the property and reduce traffic congestion on the parking lot used by Oasis Cannabis customers and employees, as well as other tenants and their respective customers at 1800 Industrial Road.

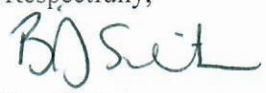
We have been working with the property owner to transform the outdated building into a *world class* facility that matches the *vibrant* and professional layout of the interior space. The following describes some of the other ways Oasis Cannabis promotes the City's Vision.

- The products we offer have been made *affordable* to those who make less than 200% of the poverty level income, so that all people in need have access to the medication that can help them live a better quality of life.
- We have contributed to *economic diversification* by creating about 50 full time jobs in a new industry. The new industry has stimulated growth in other areas, such as construction, commercial real estate, gardening supplies, and security services.
- We have hired an *ethnically diverse* workforce that believes in the company's and the city's vision and values.
- The new industry in Nevada is very *progressive* in many ways. The responsible local and state regulations have set the bar for the rest of the country as other states try to emulate our system
- The facility was designed with security in mind. The implementation of security protocols ensure the safety of any visitor to our facility. It is important to us that people *feel safe* when they visit.

PRJ-76245
04/30/19

The site meets all the city regulations regarding marijuana dispensary locations. The hours of operation are 24 hours per day and 7 days a week. We are grateful for the consideration of this variance waiver request look forward to continuing to work with the city government as a responsible member of the local business community and representative of the marijuana industry.

Respectfully,



Ben Sillitoe
CEO / Co-founder
Oasis Cannabis

PRJ-76245
04/30/19

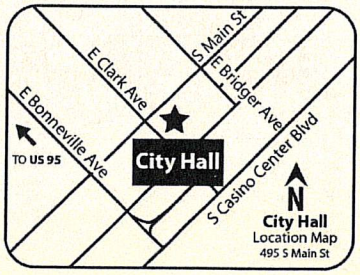
City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

PRSRT
FIRST CLASS MAIL
U.S. Postage
PAID
Las Vegas, NV
Permit No. 1630

RECEIVED
CITY CLERK

2019 JUL -8 P 4:50

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

VAR-76344 [PRJ-76245]
City Council Meeting of **JULY 17, 2019**

PRJ-76245
16204710131
ROBERSON ELLEN
916 SAN GABRIAL AVE
HENDERSON NV 89002-8912

15 DROFNP1 89002

Submitted after final agenda
Item 97

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
98

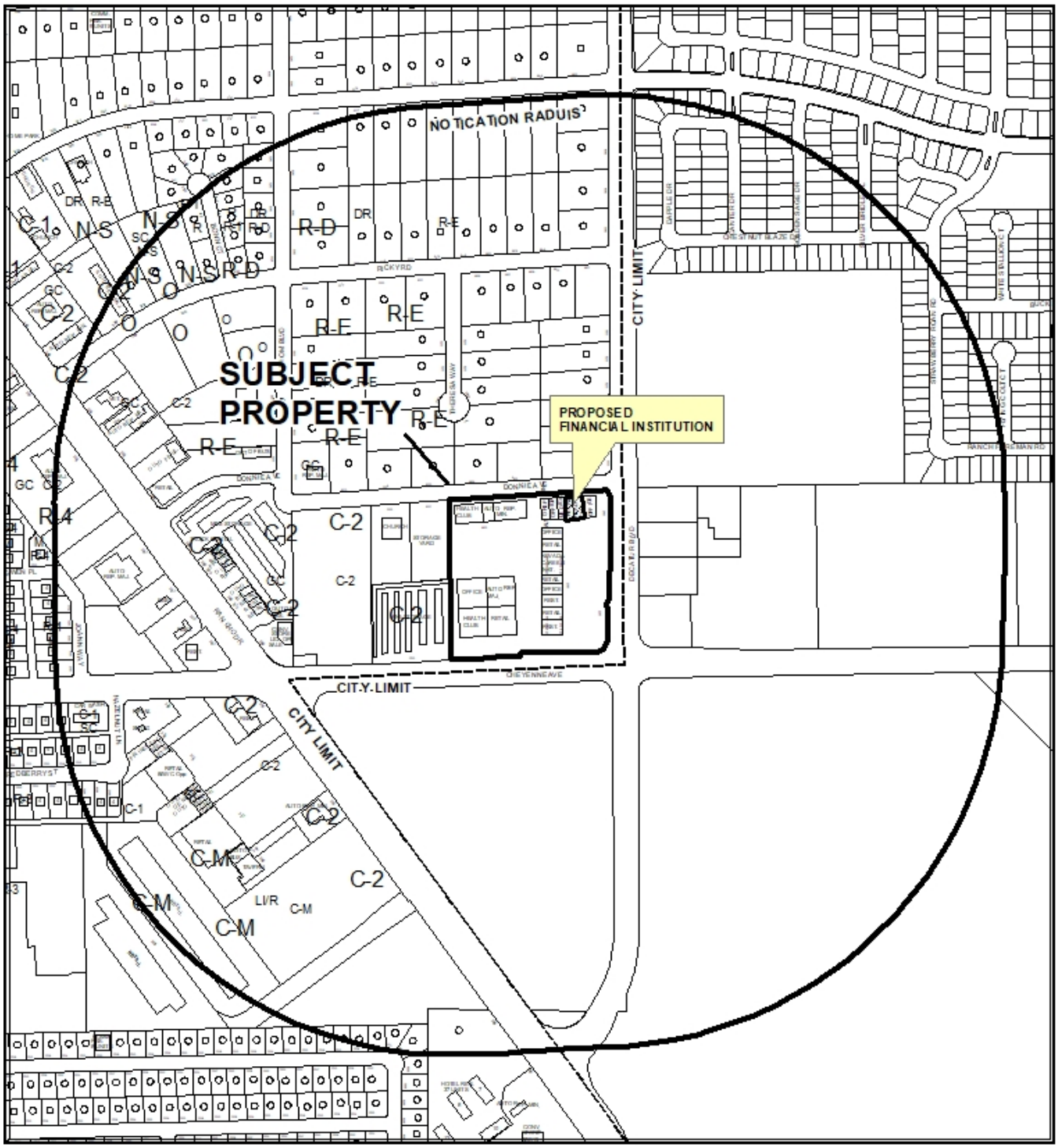
DEPARTMENT: Planning **DISCUSSION**
DIRECTOR: Robert Summerfield

SUBJECT:
SUP-76351 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: I NEED CASH NOW - OWNER: RED FEATHER PROPERTY, LLC - For possible action on a request for a Special Use Permit FOR A PROPOSED 1,730 SQUARE-FOOT FINANCIAL INSTITUTION, SPECIFIED USE WITH WAIVERS TO ALLOW A 59-FOOT DISTANCE SEPARATION FROM A PARCEL ZONED FOR RESIDENTIAL USE WHERE 200 FEET IS REQUIRED AND A 660-FOOT DISTANCE SEPARATION FROM ANOTHER FINANCIAL INSTITUTION, SPECIFIED WHERE 1,000 FEET IS REQUIRED at 3281 North Decatur Boulevard, Suites #250 and #260 (APN 138-12-813-001), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-76172]. The Planning Commission (5-0 vote) and Staff recommend DENIAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	2	Planning Commission Mtg.	1
City Council Meeting	7	City Council Meeting	1

RECOMMENDATION:
The Planning Commission (5-0 vote) and Staff recommend DENIAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Special Map
3. Conditions and Staff Report
4. Supporting Documentation
5. Photo(s)
6. Justification Letter
7. Protest Postcards
8. Submitted after Final Agenda – Protest/Support Postcards and Support Documentation Not Vetted - Letters
9. Backup Submitted at the June 11, 2019 Planning Commission Meeting



0 435 870 Feet

CASE: **SUP-76351 (PRJ-76172)**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



0 435 870 Feet

CASE: **SUP-76351 (PRJ-76172)**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

N



SUP-76351 (PRJ-76172)

Financial Institution

Business Licenses

- Financial Institution, Specified
- Automobile Title Loan
- Pawnshops

Protected Uses

- Residential Property

- City Limits
- Subject Property
- 200ft & 1000ft Buffer

N

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-229-6301

Date: Tuesday, May 14, 2019

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 17, 2019
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: I NEED CASH NOW - OWNER: RED FEATHER PROPERTY, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
SUP-76351	Staff recommends DENIAL, if approved subject to conditions:	

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 635 (By City Clerk)

PROTESTS 3

APPROVALS 1

**** CONDITIONS ****

SUP-76351 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Financial Institution, Specified use.

2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. A Waiver from Title 19.12 is hereby approved, to allow a distance separation of 59 feet from a residential property where 200 feet is the minimum required.

4. A Waiver from Title 19.12 is hereby approved, to allow a distance separation of 660 feet from a similar use where 1,000 feet is the minimum required.

5. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.

6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.

7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant is requesting a Special Use Permit to allow a 1,730 square-foot Financial Institution, Specified use at 3281 North Decatur Boulevard, Suites #250 and #260.

ISSUES

- The Financial Institution Specified Use is permitted in the C-2 (General Commercial) zoning district with approval of a Special Use Permit.
- A Waiver is required to allow a distance separation of 59 feet from a residential property where 200 feet is the minimum required. Staff does not support this distance separation Waiver.
- A Waiver is required to allow a distance separation of 660 feet from a similar use where 1,000 feet is the minimum required. Staff does not support this distance separation Waiver.

ANALYSIS

The subject site is located within an existing shopping center and within the C-2 (General Commercial) zoning district. The proposed Financial Institution, Specified use is subject to Title 19.12 development standards. This application is accompanied by two distance separation Waiver requests. The first Waiver is to allow a 59-foot distance separation from a residential property, where 200 feet is the minimum required; the second is to allow a 660-foot separation distance from a similar use, where 1,000 feet is the minimum required by code. There is one similar use within 1,000 feet of proposed location. As such, the proposed Financial Institution, Specified use cannot be conducted in a manner that is harmonious and compatible with the existing surrounding land uses, as demonstrated by the requested distance separation Waivers. Staff recommends denial of the requested Special Use Permit.

The Financial Institution, Specified use is defined as:

“Any business whose primary function is to:

1. Lend money;
2. Cash checks or other negotiable instruments for a fee, service charge or other consideration; or

3. Provide funds in exchange for the acceptance of a check on a post-dated or deferred deposit basis. This use includes without limitation a business that provides check cashing, services as a principal service offered, a paycheck advance service, and any business primarily providing cash loans, installment loans or cash advances. The term does not include a pawn shop or a limited check cashing service, as described in this Section."

The proposed use meets the definition as the applicant's primary business will be installment loans and/or cash advances.

The Minimum Special Use Permit Requirements for this use include:

1. The use shall comply with all applicable requirements of LVMC Title 6.

   The proposed use will meet this requirement, as this use will be subject to regular inspections through the licensing review process.

2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

   The proposed use meets this standard, as the use will be located in an existing retail building and any alterations require a building permit.

3. No temporary signs (as described in LVMC 19.08.120 (G)) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed 30 days.

   The proposed use will meet this requirement, as any sign or temporary signs require a permit.

4. Window signs shall not: (a) Cover more than 20 percent of the area of all exterior windows; (b) Include flashing lights or neon lighting; or (c) Include any text other than text that indicates the hours of operation and whether the business is open or closed.

   No signage is proposed as part of the application.

5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.

   Per the justification letter dated stamped 04/22/19, the hours of operation (8:00am to 11:00pm) will meet this requirement.

6. The building or portion thereof that is dedicated to the use shall have a minimum size of 1500 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as “teller” windows or desks).

   The subject tenant space, suites #250 and #260 have a combined total floor area of 1,730 square feet which meets this requirement.

7. No specified financial institution use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than 1,000 feet from any other specified financial institution use, auto title loan use, or auto pawn use. For purposes of this Requirement 7, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term “property line” refers to property lines of fee interest parcels and not leasehold parcels.

   This requirement is not met, as there are two requested distance separation Waivers. The first Waiver is to allow a 59-foot distance separation from a residential use where 200 feet is required, and the second request is to allow a 660-foot distance separation from a similar use where 1,000 feet is required.

Parking on the subject site is per Title 19.12 Shopping Center requirements at a rate of one space per 250 square feet of floor area; however, the site is parking impaired and provides fewer spaces than the Shopping Center parking rate. The Financial Institution, Specified use has the same parking requirement as a Shopping Center and thus no additional parking spaces are required to service the proposed use.

The proposed location of this use fails to comply with the minimum distance separation requirements for the requested Special Use Permit. From the residential-zoned parcel, the proposed 59-foot residential distance separation Waiver represents a 70% reduction from the required 200-foot separation mandated by Title 19. The 660-foot distance separation Waiver from a similar use represents a 34% distance reduction from the 1,000 feet mandated by Title 19. There is one Financial Institution, Specified use within 1,000 feet of the location and the addition of one more represents an overconcentration of the use in the local area.

In summary, the required Waivers reinforce the unsuitability of this site for the Financial Institution, Specified use with the surrounding neighborhood. This use cannot be conducted in a harmonious and compatible manner with the existing neighborhood and surrounding land use. For these reasons, staff recommends denial of this Special Use Permit.

FINDINGS (SUP-76351)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

1. **The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

   The proposed Financial Institution, Specified use is compatible with the GC (General Commercial) General Plan land use designation and is located within an existing shopping center. However, the proposed use requires a Waiver of the Title 19.12 residential distance separation requirement and a distance separation Waiver from a similar use, which reinforces the unsuitability of this site for the proposed Financial Institution, Specified use. The use cannot be conducted in a manner that is harmonious or compatible with the surrounding uses.

2. **The subject site is physically suitable for the type and intensity of land use proposed.**

   The proposed development will be located within an established shopping center that has ample parking and adequate vehicular circulation for the proposed use. The site can physically support the Financial Institution, Specified use and a variety of other uses such as administrative offices and general retail uses; however, the requested distance separation Waivers highlight the unsuitability of the proposed Financial Institution, Specified use for this location.

3. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

   Primary access is from Cheyenne Avenue (Freeway / Expressway), Decatur Boulevard (Primary Arterial), and Donnie Avenue (Local Street). All roadways have adequate capacity to service the proposed use.

4. **Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

   The proposed Financial Institution, Specified will be subject to regular inspections by regulatory agencies for business licensing and therefore will not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

5. The use meets all of the applicable conditions per Title 19.12.

The use does not comply with the minimum distance separation requirement required per Title 19.12, as two Waivers are required for the approval of this application (residential distance separation Waiver and a similar use Waiver). Staff does not support the requested Waivers.

BACKGROUND INFORMATION

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
02/16/83	The City Council denied a request for a Rezoning (Z-0004-83) from R-E (Residence Estates) to R-PD19 (Residential Planned Development) for a proposed medium high density condominium use at property generally located at the northwest corner of Cheyenne Avenue and Decatur Boulevard.
01/02/91	The City Council approved a request for a Rezoning (Z-0122-90) from R-E (Residence Estates) and C-2 (General Commercial) to R-D (Single Family Residence, Restricted) and C-2 (General Commercial), at property located on the northwest corner of Cheyenne Avenue and Decatur Boulevard. The Planning Commission recommended approval.
08/05/92	The City Council approved a request for a Review of Condition (Z-0122-90[1]) to delay the construction of a required eight foot high decorative block wall and to install 24 inch box drought tolerant evergreen trees on the R-E parcel rather than on the C-2 parcel, at property located on the northwest corner of Cheyenne Avenue and Decatur Boulevard.
10/21/92	The City Council approved a request for a Rezoning (Z-0071-92) from R-E (Residence Estates) to R-D (Single Family Residence, Restricted), for a proposed Single Family Dwellings use on the southwest corner of Decatur Boulevard between Cheyenne Avenue and Donnie Avenue. The Planning Commission recommended approval.
09/22/97	The City Council approved a request for a Rezoning (Z-0079-97) from R-E (Residence Estates) to R-D (Single Family Residence, Restricted) and C-2 (General Commercial), for three proposed Single Family Dwellings and a 25,800 square-foot two story Shopping Center on the west side of Decatur Boulevard and Donnie Avenue. The Planning Commission recommended approval.
04/07/14	Staff approved a request for a Minor Amendment (SDR-53304) of an approved Site Development Plan Review (Z-0079-97) for an expanded parking lot and façade improvement to an existing Shopping Center at 3231 and 3281 North Decatur Boulevard.

Related Relevant City Actions by Planning, Fire, Bldg., etc.	
10/15/14	The applicant withdrew a request for a Minor Amendment (SDR-55713) of an approved Site Development Plan Review (Z-0079-97) for a proposed 900 square-foot addition (Garage) to an existing Shopping Center at 3231 and 3281 North Decatur Boulevard.
10/03/18	The City Council approved a request for a Variance (VAR-73552) to allow zero additional parking spaces where four additional parking spaces are required for a parking impaired development at the northwest corner of Cheyenne Avenue and Decatur Boulevard. The Planning Commission and staff recommended denial.
06/11/19	The Planning Commission voted to recommend DENIAL on a request for a Special Use Permit (SUP-76351) FOR A PROPOSED 1,730 SQUARE-FOOT FINANCIAL INSTITUTION, SPECIFIED USE WITH WAIVERS TO ALLOW A 59-FOOT DISTANCE SEPARATION FROM A PARCEL ZONED FOR RESIDENTIAL USE WHERE 200 FEET IS REQUIRED AND A 660-FOOT DISTANCE SEPARATION FROM ANOTHER FINANCIAL INSTITUTION, SPECIFIED WHERE 1,000 FEET IS REQUIRED at 3281 North Decatur Boulevard, Suites #250 and #260 (APN 138-12-813-001), C-2 (General Commercial) Zone, Ward 5 (Crear) [PRJ-76172].

Most Recent Change of Ownership	
05/07/10	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
10/10/07	A business license (G50-08651) was issued for General Retail Sales (collectibles/aviation stamps and memorabilia) at 3281 North Decatur Boulevard, Suite #250. The permit became inactive on 02/23/16.
06/05/06	A business license (I50-00326) was issued for Instruction Services at 3281 North Decatur Boulevard, Suite #250. The license remains active.
03/15/17	A business license (G65-00965) was denied for General Retail Sales (collectibles/aviation stamps and memorabilia) at 3281 North Decatur Boulevard, Suite #250.
01/30/18	A business license (G65-08073) was denied for a Warehouse or Storage use (tradeshow carpet rentals, warehousing, transportation) at 3281 North Decatur Boulevard, Suite #250.

Pre-Application Meeting	
04/01/19	A Pre-Application Meeting was conducted with the applicant to discuss the submittal requirements for a Special Use Permit for a Financial Institution, Specified Use, with Waivers to allow distance separation from a parcel zoned for residential use and from another Financial Institution, Specified use.

Neighborhood Meeting
A voluntary neighborhood meeting was held.

Field Check	
05/02/19	A field check revealed two vacant tenant spaces within an existing shopping center on the second floor of the building in the northeast corner of the site.

Details of Application Request	
Site Area	
Gross Acres	8.43

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	GC (General Commercial)	C-2 (General Commercial)
North	Undeveloped Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
South	Undeveloped	N/A	C-2 (General (Commercial) – Clark County
East	Shopping Center	AE-60 (Airport Environs) – Clark County	C-1 (Neighborhood (Commercial) – Clark County C-2 (General (Commercial) – Clark County
West	Mini Storage Facility Storage Yard	GC (General Commercial)	C-2 (General Commercial)

Master and Neighborhood Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Special Area and Overlay Districts	***Compliance***
A-O (Airport Overlay) District (35 Feet)	Y
RP-O (Rural Preservation Overlay) District	Y
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	Y

DEVELOPMENT STANDARDS

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Cheyenne Avenue	Freeway / Expressway (150 feet +)	Master Plan of Streets and Highways	100	Y
Decatur Boulevard	Primary Arterial (100 feet)	Master Plan of Streets and Highways	102	Y
Donnie Avenue	Local Street	Title 13	60	Y

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	***Gross Floor Area or Number of Units***	***Required***			***Provided***		***Compliance***
		Parking Ratio	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Centre	91,170 SF	1:250 GFA	365				
TOTAL SPACES REQUIRED			365		265		N*
Regular and Handicap Spaces Required			357	8	257	8	N*

* Subject site is parking impaired; however, the proposed Financial Institution, Specified use will not increase parking demand above the current parking situation.

Waivers		
Requirement	***Request***	***Staff Recommendation***
200-foot distance separation is required for any parcel used or zoned for residential use.	To allow a 59-foot distance separation.	Denial
1,000-foot distance separation is required from any other specified financial institution use.	To allow a 660-foot distance separation.	Denial

DEPARTMENT OF PLANNING

Application / Petition Form & Statement of Financial Interest

Department Use	
Case #	
Meeting Date	
Total Fee	
Received By/Date	

Case Type (Special Use Permit, Rezoning, Variance, Site Development Plan Review, etc) Special Use Permit and Variance

Project Address (Location) 3281 N. Decatur Blvd, Suites 250 & 260

Project Name I Need Cash Now **Proposed Use** Finanical Institution, Specified

Assessor's Parcel #(s) 138-12-813-001 **Ward #** Crear

General Plan: Existing _____ Proposed _____ **Zoning:** Existing C-2 Proposed n/a

Additional Information _____

Property Owner Red Feather Property, LLC %Law Offices D. Norouzi **Contact** n/a

Address 10866 Wilshire Blvd, #400 City Los Angeles State CA Zip 90024

E-mail n/a Phone n/a

Applicant I Need Cash Now **Contact** Tony Celeste

Address 4709 Nantucket Clipper Drive City N. Las Vegas State NV Zip 89031

E-mail lyonellamaute@gmail.com Phone 702-469-8882

Representative Kaempfer Crowell **Contact** Tony Celeste

Address 1980 Festival Plaza Dr. #650 City Las Vegas State NV Zip 89135

E-mail ajc@kcnvlaw.com Phone 702-792-7000

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official _____ **Partner(s)** _____

Partner(s) _____

- I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in the application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.
- Application will not be deemed complete until the submitted materials have been reviewed by Department of Planning for consistency with the Zoning Ordinance.

Property Owner Signature _____

An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps and Parcel Maps

Print Name DAVID NOROUZI

Subscribed and sworn before me

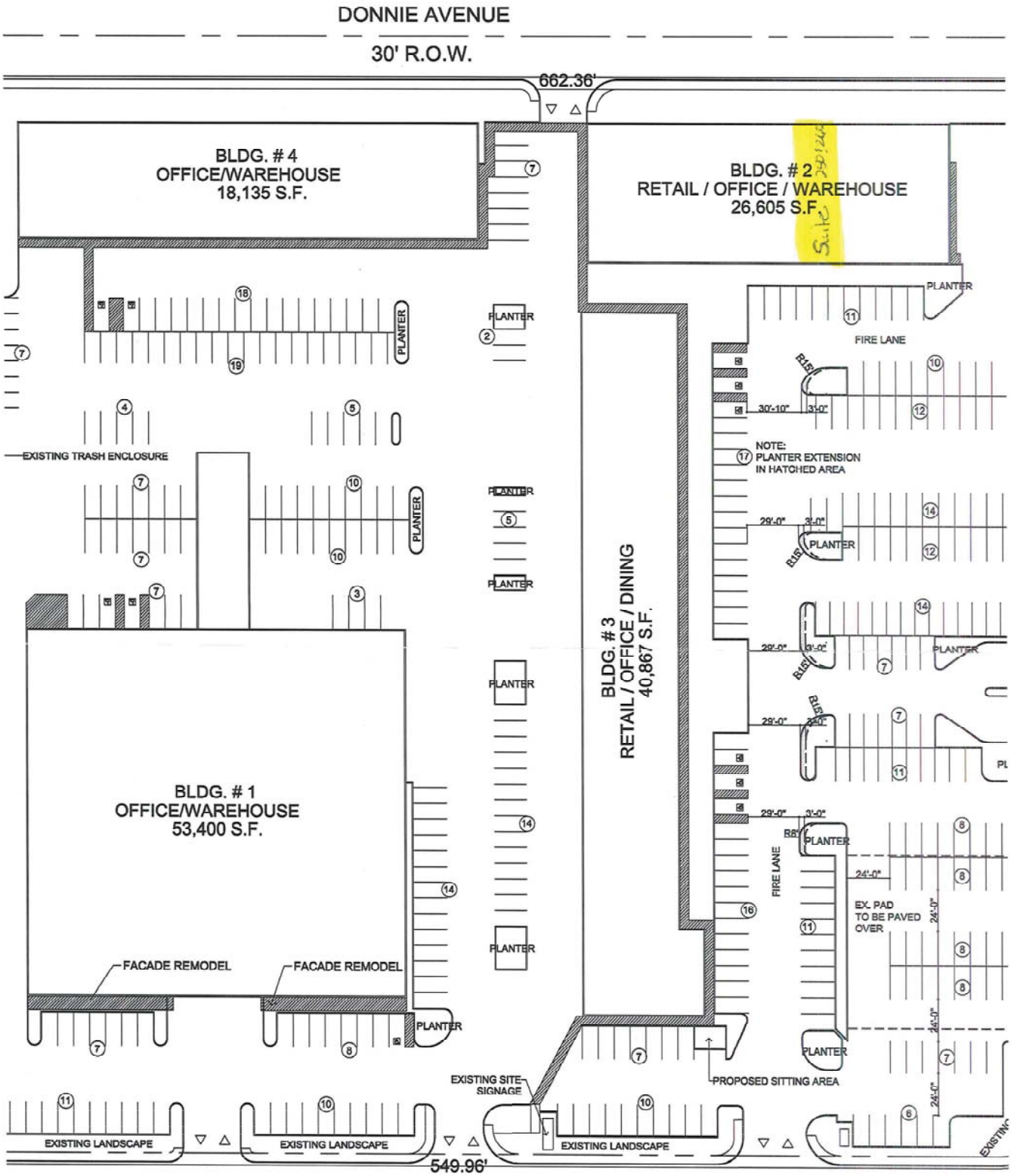
This Ninth day of April, 20 19

Los Angeles, CA

Notary Public in and for said County and State

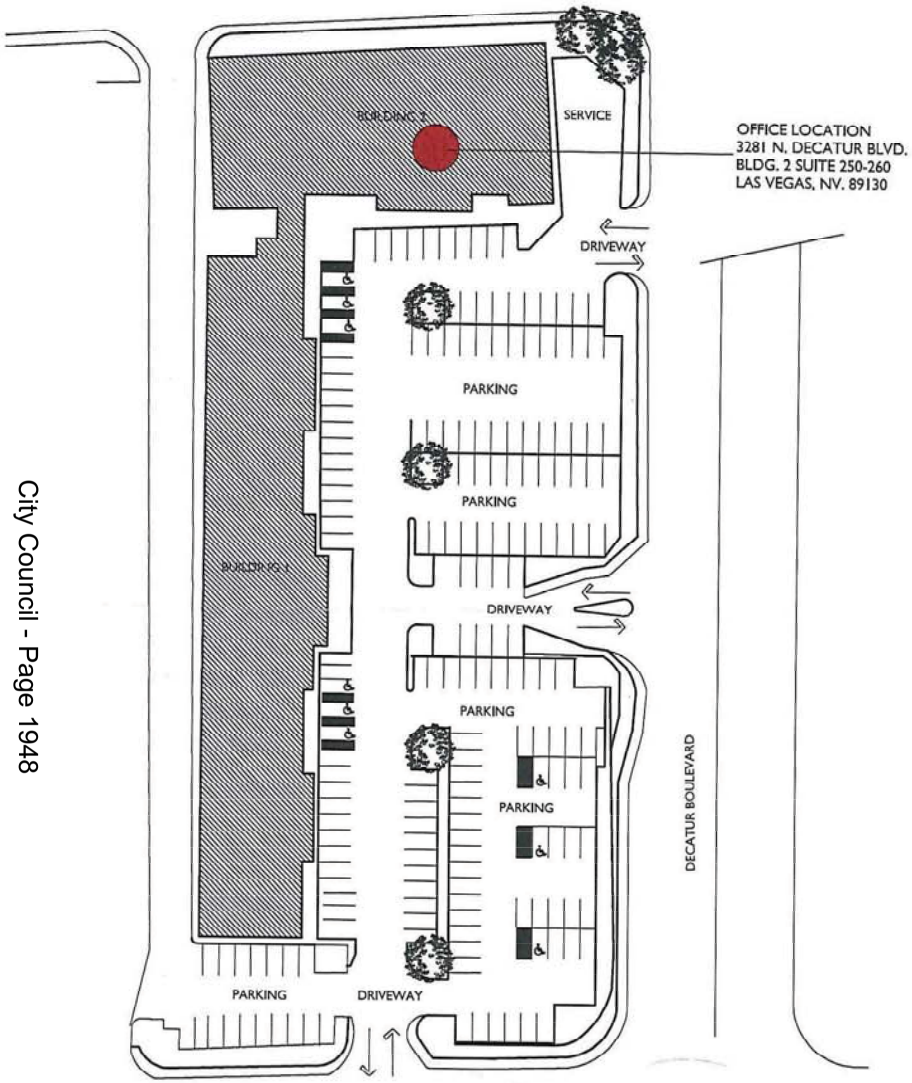
AMIR KOHANZAD
Notary Public - California
Los Angeles County
Commission # 2176909
My Comm. Expires Dec 24, 2020

PRJ-76172
04/22/19



Zoned – C2

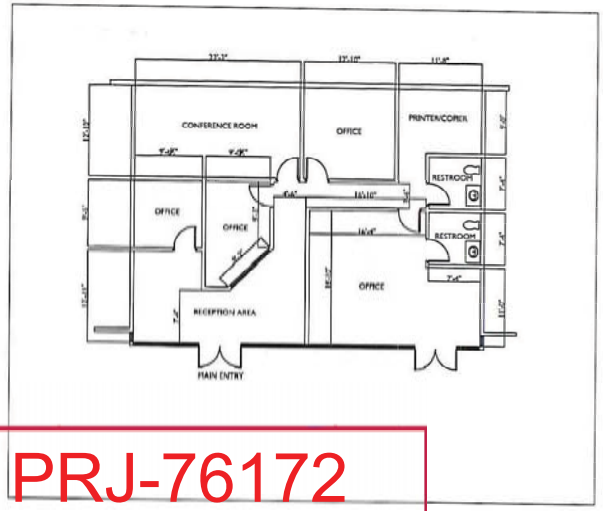
PRJ-76172
04/22/19



1 EXISTING SITE PLAN
1/32" (APPROX)



2 LOCATION MAP
NOT TO SCALE



3 FLOOR PLAN
1/8" = 1'-0"

PRJ-76172
04/22/19

I NEED CASH NOW, LLC OFFICE
3281 N. DECATUR BLVD.
BLDG. 2 SUITE 250-260
LAS VEGAS, NV. 89130



PRJ-76172
04/22/19



PRJ-76172
04/22/19


CAFE
PRJ-76172
04/22/19


NEVADA CAREER INSTITUTE
HAIR & NAIL STUDIO
Royal
NEVADA CAREER INSTITUTE
PRJ-76172
04/22/19



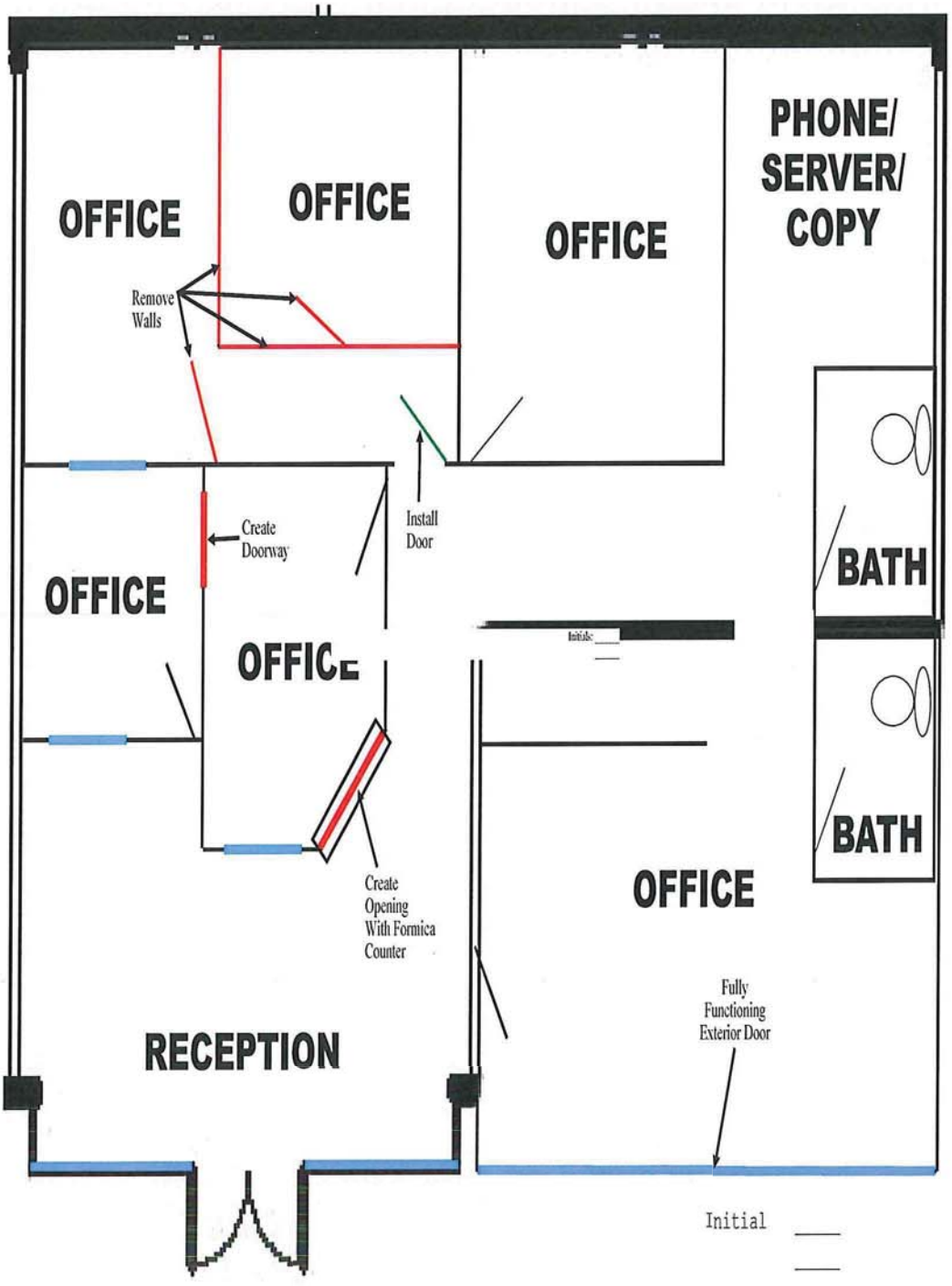
PRJ-76172
04/22/19



PRJ-76172
04/22/19


PRJ-76172
04/22/19

Proposed Floor Plan



Initial ____
____

PRJ-76172
04/22/19

Initials: _____
_____



SUP-76351 [PRJ-76172] - SPECIAL USE PERMIT - APPLICANT: I NEED CASH NOW - OWNER: RED FEATHER PROPERTY, LLC
3281 NORTH DECATUR BOULEVARD, SUITES #250 AND #260

05/02/2019



SUP-76351 [PRJ-76172] - SPECIAL USE PERMIT - APPLICANT: I NEED CASH NOW - OWNER: RED FEATHER PROPERTY, LLC
3281 NORTH DECATUR BOULEVARD, SUITES #250 AND #260

05/02/2019



SUP-76351 [PRJ-76172] - SPECIAL USE PERMIT - APPLICANT: I NEED CASH NOW - OWNER: RED FEATHER PROPERTY, LLC
3281 NORTH DECATUR BOULEVARD, SUITES #250 AND #260

05/02/2019

KAEMPFER CROWELL
ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE
aceleste@kcnvlaw.com
702.693.4215

LAS VEGAS OFFICE
1980 Festival Plaza Drive
Suite 650
Las Vegas, NV 89135
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
50 West Liberty Street
Suite 700
Reno, NV 89501
Tel: 775.852.3900
Fax: 775.327.2011

CARSON CITY OFFICE
510 West Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

April 8, 2019

VIA UPLOAD

City of Las Vegas
PLANNING & DEVELOPMENT DEPARTMENT
333 N. Rancho Drive
Las Vegas, NV 89106

Re: Justification Letter – Special Use Permit for Financial Institution, Specified and Variances to Reduce Separation to Residential Use and to another Financial Institution, Specified
3281 N. Decatur – Suites 250 & 260

To Whom It May Concern:

Our Firm represents the Applicant. The Applicant is looking to establish a financial institution, specified use at 3281 N. Decatur, Suites 250 & 260 (the "Site.") The Site is located within an overall larger commercial complex. The commercial complex including the Site is zoned C-2.

Upon meeting various conditions for a special use permit, a financial institution, specified is an allowed use in C-2 zoned district. Here, the Site is zoned C-2. The Site's square footage exceeds 1,500 square feet. Additionally, the Applicant will comply with the hours of operation and signage requirements.

Variances Request

The Applicant is requesting to reduce the distance requirement between the financial institution, specified use and a residential use. Here, the Applicant is seeking to reduce the separation between the two uses to approximately 60' to the north and 100' to the east, respectively, where 200' is required. While the applicant is requesting to reduce the separation distance, a financial institution, specified use is appropriate at this location for the following reasons:

- The Site is located in an overall larger commercial complex.
- The Site and commercial complex are zoned C-2, the most intense commercial zoning district.
- The commercial complex is located at the northwest corner of Cheyenne Avenue and Decatur Boulevard, two 100' right-of-ways.

PRJ-76172
04/22/19

- The Site's frontage/front door is facing towards Cheyenne Avenue and the commercial complex parking lot.
- Decatur Boulevard, a 100' right-of-way, separates the commercial shopping center and the residential use to the east.
- While there is a drive aisle within the commercial complex to Donnie Avenue where the residential use is to the north, there are buildings located between the drive aisle and the Site and thereby not providing direct access to the residential use to the north.
- Measuring from the Site, and not the property line, to the residential use to the east the distance is approximately 185'.
- Measuring from the front door of the use to the residential use to the north, the distance is approximately 165'.

The Applicant is also requesting to reduce the distance separation between financial institutions, specified. Pursuant to Title 19.12.070, "no specified financial institution use may be located closer than 1,000 feet from any other specified financial institution use" with the distance measured from property line to property line. The term property line "refers to property lines of fee interest parcels." Here, the Site is approximately 890' to the fee interest parcel of the other specified financial institution. Despite the clear definition of Title 19, the City is requesting the Applicant measure the distance from the Site to the commercial subdivision where the fee interest parcel is located. Based on this measurement, the distance is reduced 660'. Regardless of whether the distance is 890' or 660', a specified financial institution is appropriate on the Site for the following reasons:

- The Site and the other specified financial institution are separated by two (2) 100' right –of-ways: (1) Cheyenne Avenue and (2) Rancho Drive.
- Both the Site and the other specified financial institution are located in large commercial shopping centers.

We thank you in advance for your time and consideration of this request. Should you have any questions, please feel free to contact me.

Sincerely,

KAEMPFER CROWELL

Anthony J. Celeste

AJC/mao

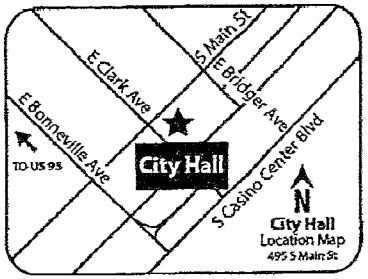
PRJ-76172
04/22/19

702 485-6870

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-76351 [PRJ-76172]

City Council Meeting of **JULY 17, 2019**

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2019 JUL -1 A 7:34

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Permit No. 1630

PRJ-76172
13812710054
E S M I PROPERTIES L L C
5252 RICKY RD
LAS VEGAS NV 89130-3108

31 ORDFHP1 89130

Jul 01 19 07:25a F.E.I. Construction

City of Las Vegas
Office of The City Clerk
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Las Vegas, Nevada 89101

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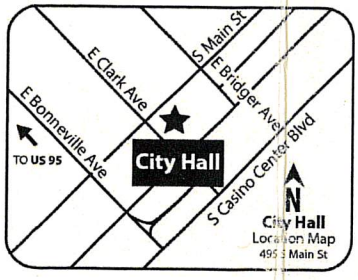

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-76351 [PRJ-76172]

City Council Meeting of **JULY 17, 2019**

PRJ-76172
13907415180
EXECUTIVE PROPERTIES L L C
P O BOX 86606
LOS ANGELES CA 90086

34 DRDFMP1 90086

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Las Vegas, NV
Permit No. 1630

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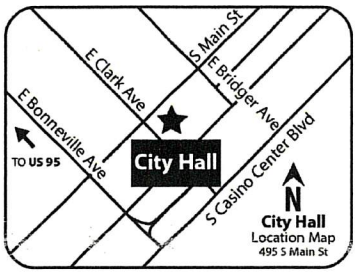
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-76351 [PRJ-76172]
City Council Meeting of **JULY 17, 2019**

PRJ-76172
13907415310
HAYS RENTAL PROPERTIES II L L C
5118 HAMPDEN LN
BETHESDA MD 20814

2 DRDFMP1 2014

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Las Vegas, NV
Permit No. 1630

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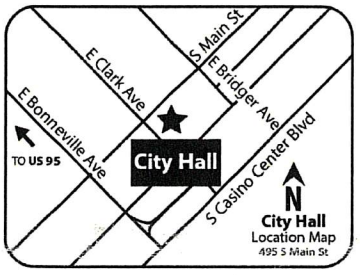
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-76351 [PRJ-76172]
City Council Meeting of **JULY 17, 2019**

PRJ-76172
13907415066
HAYS RENTAL PROPERTIES SERIES V
5118 HAMPDEN LN
BETHESDA MD 20814

2 DRDFMP1 2014

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Las Vegas, NV
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2019 JUL 15 P 12:32

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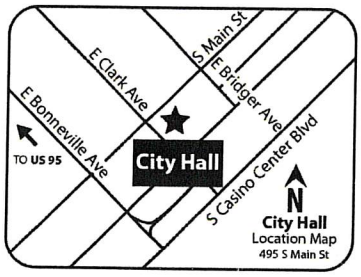

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-76351 [PRJ-76172]
City Council Meeting of **JULY 17, 2019**

PRJ-76172
13812810011
R & K BALLARD FAMILY LIMITED PAR
BALLARD ROB
321 S GRANADOS
SOLANA BEACH CA 92075

142 DRDFNP1 92075

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-76351 [PRJ-76172]
City Council Meeting of **JULY 17, 2019**

PRJ-76172
13812710059
R & K BALLARD FAMILY LIMITED PAR
BALLARD ROD
321 S GRANADOS AVE
SOLANA BEACH CA 92075

Submitted after final agenda
Item 98

142 DRDFNP1 92075

City of Las Vegas
Office of The City Clerk
495 South Main Street, 2nd Floor
Las Vegas, Nevada 89101

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Las Vegas, NV
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2019 JUL 15 P 4:34

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-76351 [PRJ-76172]
City Council Meeting of **JULY 17, 2019**

PRJ-76172
13812812013
FLORES JOSE ERNESTO & CHRISTINA
FLORES JOSE ERNESTO & CHRISTINA
7541 ISLEY AVE
LAS VEGAS NV 89147

47 DROFNP1 89147

Item 98
Submitted after final agenda

0001/0001

INDUSTRIAL FINISHES CARS

07/09/2019 10:11AM FAX 7758852883

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2019 JUL -9 A 11:05

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Las Vegas, Nevada 89101

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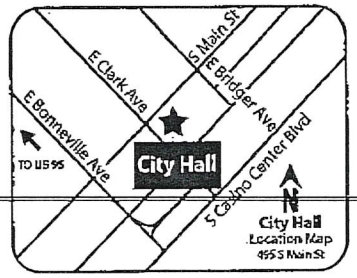

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-76351 [PRJ-76172]

City Council Meeting of **JULY 17, 2019**

PRJ-76172
13907415191
TIMMONS DANIEL R SR & DEBRA A
2748 OAK RIDGE DR
CARSON CITY NV 89703-8338

89703

Submitted after final agenda
Item 98

June 25, 2019

Councilman Cedric Crear
Las Vegas City Council, 5th Ward
333 N. Rancho Drive, 3rd Floor
Las Vegas, NV, 89106

Re: SUP-76351

Dear Councilman Crear-

This letter is being written in reference to SUP- 76351, a request for a special use permit for "I Need Cash Now", a tenant at 3281 North Decatur Blvd., Suite 250 and 260. I am a neighborhood business owner and a tenant at the Red Feather Property and am writing in support of the application.

Having a tenant like I Need Cash Now at the Red Feather Property has numerous benefits for the center and the neighborhood in general.

- A Center with high occupancy is safer for ALL tenants
- I Need Cash Now is a destination business and will increase foot traffic in the center
- I Need Cash Now will bring patrons with cash in hand; those people will in turn spend money at adjacent and nearby businesses, benefitting our businesses, the center and the neighborhood

For the above reasons we are in support of I Need Cash Now and we believe that the benefits of having this business at the Red Feather Property and within the neighborhood far outweigh any disadvantages.

As constituents of the 5th Ward, we are support of this Special Use Permit and encourage Councilman Crear to vote in favor of it.

Thank you and best regards,

Signature

Dawn Glagola
Printed Name

Dirty Flavor Shack
Name of Business

3231 N Decatur Blvd Ste 134
Business Address

Submitted after final agenda
Item 98

FENIX
DEVELOPMENT

10866 Wilshire Blvd. | Suite 400
Los Angeles | CA | 90024
T: 310.208.1840 | F: 310.208.1850

June 1, 2019

Councilman Cedric Crear
Las Vegas City Council
495 S Main Street
Las Vegas, NV 89101

Councilman Crear,

This letter is being written in reference to SUP- 76351, a request for a special use permit for "I Need Cash Now", a tenant at 3281 North Decatur Blvd., Suite 250 and 260. I am writing on behalf of the Red Feather Property, as the owner and manager of the property, in support of the application.

As you may know, the Red Feather Property is located in a challenging neighborhood, with extremely high crime, gang activity, and a high homeless population. Our ownership, brokers, and management team work very hard to find worthy tenants and to ensure stable and long-term tenancy. The applicant (I Need Cash Now) is exactly the type of tenant that provides a valuable service to the surrounding neighborhood and businesses.

Firstly, I Need Cash Now is a business model that provides a much needed and valued service. Secondly, the applicant's use will increase foot traffic within the center, benefitting all tenants. We manage other properties with check cashing businesses and have found that customers who cash checks at these businesses tend to use the cash collected to patronize adjacent stores and businesses. This not only benefits the Red Feather property but the neighborhood in general.

We understand the planning department's recommendation of denial based on the required distances between financial institution and adjacent residences and similar financial institutions. However, we do not believe that a recommendation should be made in a vacuum, based on arbitrary distance requirements. The benefits of having this business at the Red Feather Property and within the neighborhood far outweigh any disadvantages. We strongly urge and encourage Councilman Crear to vote in favor of this special use permit.

Thank you and best regards,

Nilou Gabbay
Asset Manager
Fenix Development, Inc.
10866 Wilshire Blvd. | Suite 400 | LA, CA 90024
T: 310.208.1840 | F: 310.208.1850
Nilou@fenixdevelopmentinc.com

Submitted after final agenda
Item 98

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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Las Vegas, NV
Permit No. 1630

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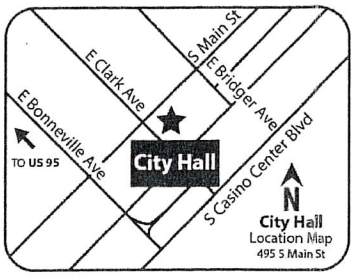
Official Notice of Public Hearing



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Dept of Planning
City of Las Vegas

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at www.lasvegasnevada.gov. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-76351 [PRJ-76172]

Planning Commission Meeting of **06/11/2019**

PRJ-76172_2
13813502002
PENA LUIS EDUARDO
5212 REDBERRY ST
LAS VEGAS NV 89108

99 DRDFMP1 8910B

Submitted after final agenda

23P

p.1
702 485-6870
F.E.I. Construction
Jun 05 19 07:09p

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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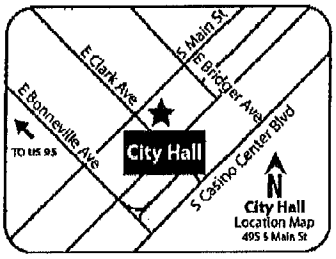

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-76351 [PRJ-76172]

Planning Commission Meeting of **06/11/2019**

PRJ-76172_2
13812710054
E S M I PROPERTIES L L C
5252 RICKY RD
LAS VEGAS NV 89130-3108

12P DROPMP1 89130

23P

City of Las Vegas
Department of Planning
Development Services Center
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106

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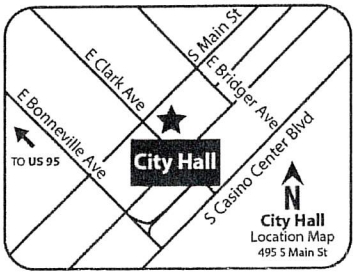

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Dept of Planning
City of Las Vegas

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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-76351 [PRJ-76172]

Planning Commission Meeting of **06/11/2019**

PRJ-76172_2
13812810033
RICHARDSON DENISE E & JOHN W JR
3304 THERESA WAY
LAS VEGAS NV 89130-3209

127 DRDFNP1 89130

Submitted after final agenda

23A

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
99

DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
Set date on any appeals filed or required public hearings from the City Planning Commission Meetings and Dangerous Building or Nuisance/Litter Abatements.

AGENDA SUMMARY PAGE

City Council
Meeting of: July 17, 2019

Agenda Item No.:
100

DEPARTMENT: City Clerk
DIRECTOR: LuAnn Holmes

SUBJECT:
Citizens Participation: Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the City Council. No subject may be acted upon by the City Council unless that subject is on the agenda and is scheduled for action. If you wish to be heard, come to the podium and give your name for the record. The amount of discussion on any single subject, as well as the amount of time any single speaker is allowed, may be limited.

AGENDA SUMMARY PAGE

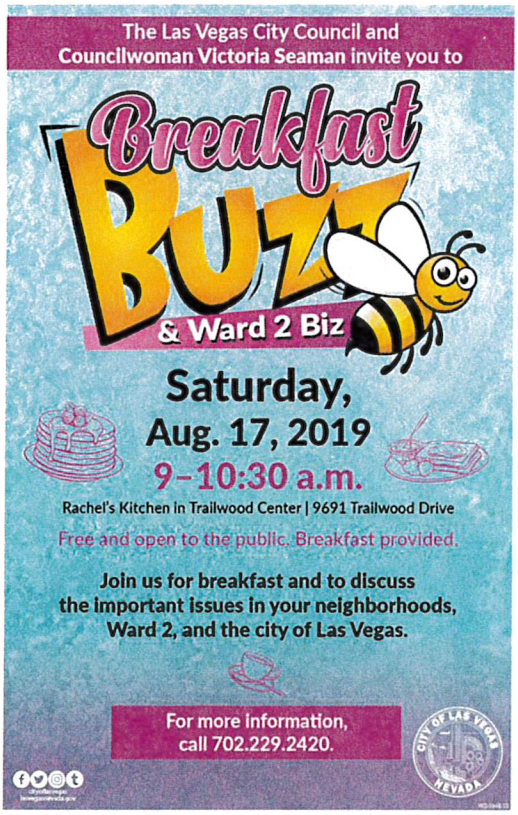
City Council
Meeting of: July 17, 2019

Agenda Item No.:
101

SUBJECT:
Council Member Recognition: Comments made by individual City Council Members during this portion of the agenda will not be acted upon by the City Council unless that subject is on the agenda and scheduled for action.

BACKUP DOCUMENTATION:
1. Submitted at Meeting – Flyers for Ward 2 Announcements, Breakfast Buzz, Ward 2 Office Hours, Reappointment of Vito Galati to the Senior Citizens' Advisory Board, Appointment of Sigal Chattah to the Planning Commission, Ward 2 Small Business Initiative, and Senior Citizens Advisory Board Monthly Events by Councilwoman Seaman; Flyers for Ward 5 Announcements, Alpha Phi Alpha Day Celebration, West Las Vegas Visual Arts Camp Final Performances, Ward 5 Construction & Trades Hiring Event, Courtyard Homeless Resource Center, and Stay Connected by Councilman Crear; Flyer for Ward 4 - Coffee with a Cop by Councilman Anthony; Flyers for Ward 6 Announcements for Splash Back to School, Nevada Child Seekers – Located and Missing Juveniles, and Happy Birthday Councilman Cedric Crear by Councilwoman Fiore


City of Las Vegas
Ward 2, Councilwoman Victoria Seaman



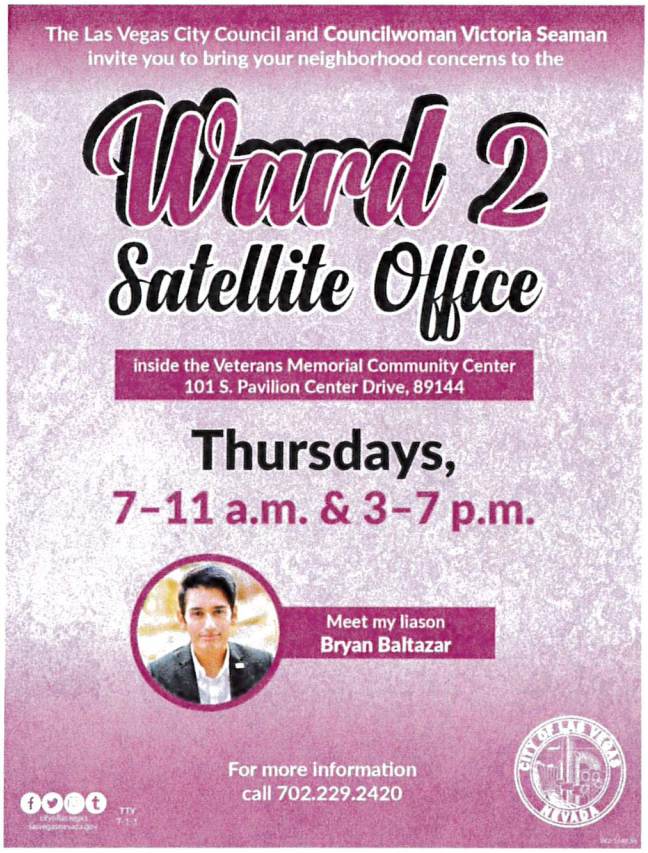
Monthly Community Event

Breakfast Buzz & Ward 2 Biz

Saturday
August 17th 2019
9-10:30am

Rachel's Kitchen
9691 Trailwood Dr.
Las Vegas, NV 89134

Contact: 702-229-2420



Ward 2 Office Hours

Thursdays
7-11am & 3-7:00pm

Veteran's Memorial
Community Center
101 S Pavilion Center Dr.
Las Vegas, NV 89144

Contact: 702-229-2420



Re-Appointment

Vito Galati

Senior Citizens Advisory Board



New Appointment

Sigal Chattah

Planning Commission Ward 2 seat

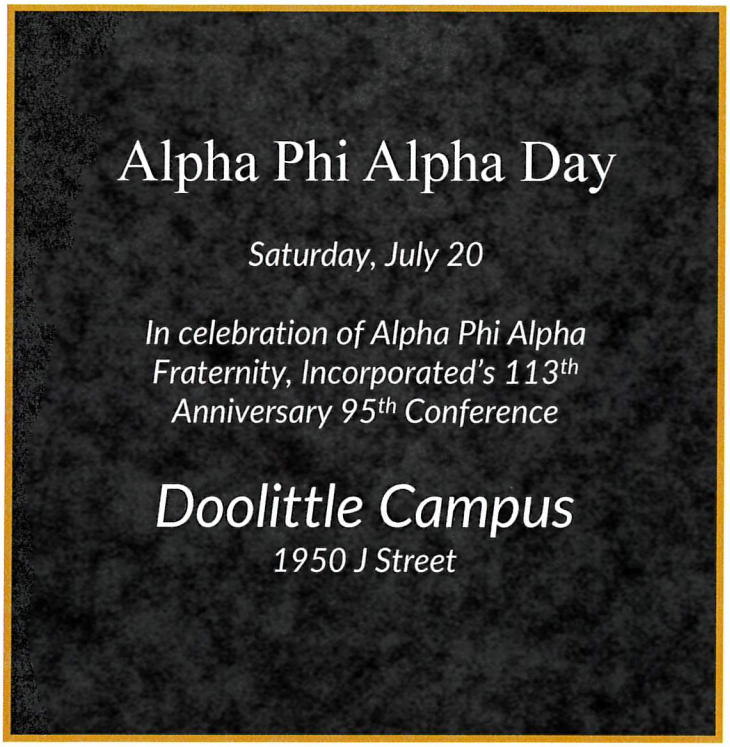
Ward 2 Small Business Initiative

Each week we will feature and introduce a local business in Ward 2 in our social media platforms. To submit a business to be featured starting August 3rd, please contact our office: 702-229-2420

Senior Citizens Advisory Board
Monthly Events

Each month we will be hosting a senior event with Vito Galati that will vary from educational seminars, to social events starting in September. For questions, please contact our office: 702-229-2420


Ward 5 Final Announcements
CITY OF LAS VEGAS
NEVADA
Councilman
Crear
COUNCILMAN CEDRIC CREAR, WARD 5



Ward 5: Announcements

West Las Vegas Visual Arts Camp

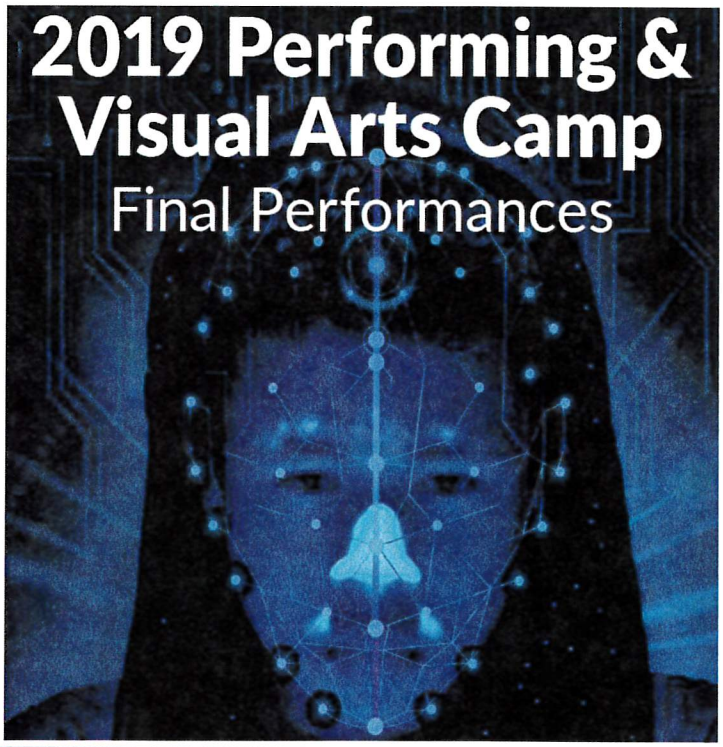
Final Performances

Sat., July 27 | 7:30 p.m.
Smith Center for the Performing Arts

Wed., July 31 | 2 p.m.
Clark County Library Theater

Thurs., Aug 1 | 2 p.m.
Charleston Heights Arts Center

Sat., Aug. 3 | 2 p.m.
West Las Vegas Library Theatre



Ward 5: Announcements

Ward 5 Construction & Trades Hiring Event

Tuesday, August 20
1 – 6 p.m.

Las Vegas City Hall – 2nd Floor Lobby
495 S. Main Street



Ward 5: Announcements

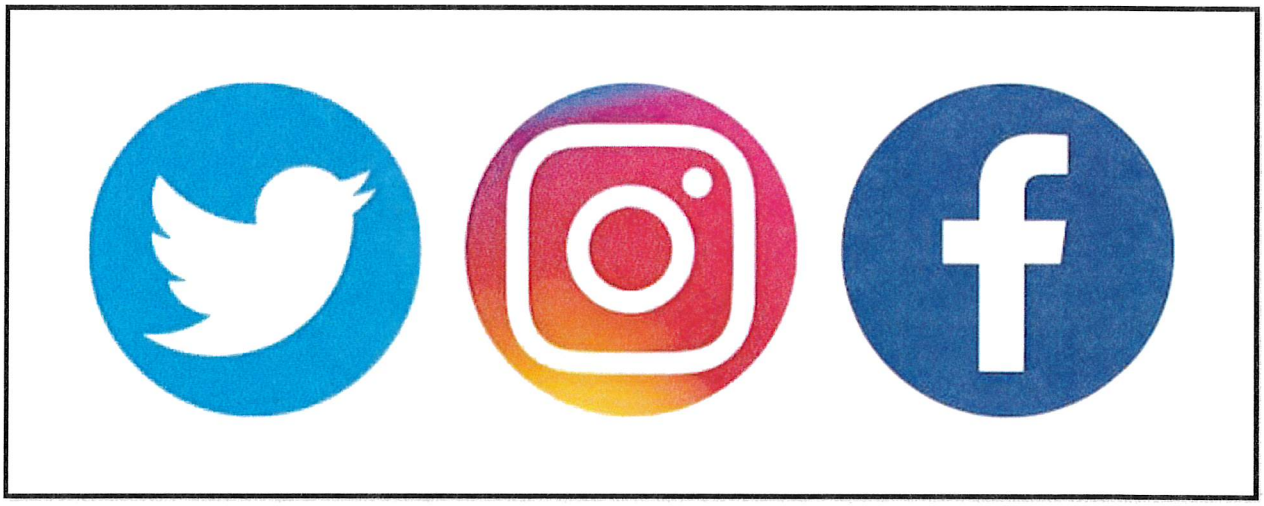


COURTYARD HOMELESS RESOURCE CENTER

Courtyard Homeless Center
310 Foremaster Lane
702-229-6117
corridorofhope@lasvegasnevada.gov

Ward 5: Announcements





Ward 5: Announcements

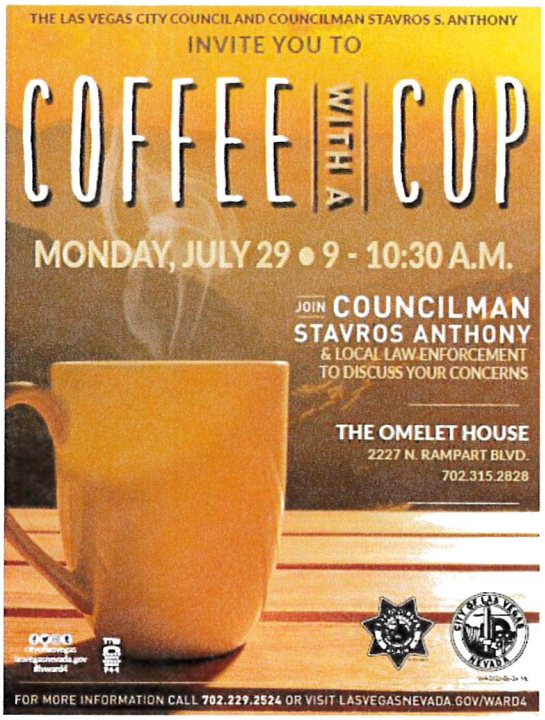


WARD 4 ANNOUNCEMENTS

Councilman Stavros S. Anthony

Coffee with a Cop
Monday, July 29th
9:00am-10:30am

The Omelet House
2227 N. Rampart Blvd.



Ward 6 - Updates/Events



Splash Back to School

Thursday, July 26th
5-7 p.m.

Centennial Hills YMCA (Pool)
(6601 N Buffalo Drive)

LOCATED

Sent 2019-06-27 @ 13:23 Case 1905200010375 Author JH/NCS

NIC #

Last Name SOTO

First Name RASIR

Nickname

Alias

Age 15

Gender MALE

Height 5'9

Weight 160

Eyes BROWN

Hair BLACK CURLY HAIR

Complexion

Race AFRICAN AMERICAN

BirthDate

Last Contact 5/19/2019



Marks

RASIR WAS LAST SEEN IN THE AREA SIMMO W. ANN RD (LAS VEGAS,NV)

CHILD WAS LAST SEEN WEARING K VAN SHOES A BLACK SWEATER AND BLUE JEANS

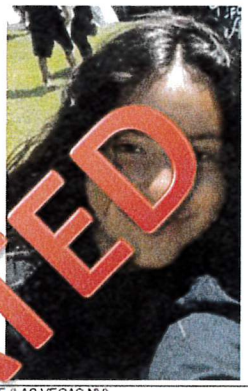
IF YOU HAVE ANY INFORMATION SE CONTAC THE NUMBERS LISTED BELOW

LOCATED

Las Vegas Metro Police (702) 828-3111
Nevada Child Seekers (702) 458-7009

LOCATED

Sent: 2019-06-06 @ 13:02 Case: 1905280010943 Author: JH/NCS



NIC #	
Last Name	DURAN
First Name	KRISTINA
Nickname	
Alias	
Age	16
Gender	FEMALE
Height	5'0
Weight	160
Eyes	BROWN
Hair	BROWN
Complexion	
Race	HISPANIC
BirthDate	
Last Contact	5/28/2019
Marks	

KRISTINA WAS LAST SEEN IN THE A[illegible] OF ALLEN[illegible]EYENNE (LAS VEGAS,NV)

CHILD WAS LAST SEEN WEARING [illegible]Y AND BLACK [illegible]OBREAKER AND DARK BLUE JEANS WITH BLACK LOW TOP NIKE SHOES.

IF YOU HAVE ANY INF[illegible]HATIO[illegible]ASE [illegible]ACT THE NUMBERS LISTED BELOW

LOCATED

Las Vegas Metro Police (702) 828-3111
Nevada Child Seekers (702) 458-7009

MISSING JUVENILE

Sent: 2019-07-12 @ 09:40 Case: 21231 Author: ME/NCS

NIC #

Last Name	DUGAN
First Name	NIKE MARIE
Nickname	
Alias	
Age	15
Gender	FEMALE
Height	5'4
Weight	120 LBS
Eyes	HAZEL
Hair	BROWN
Complexion	
Race	CAUCASIAN
BirthDate	
Last Contact	JULY 4, 2019
Marks	NOSE PIERCING



CHILD WAS LAST SEEN IN THE AREA OF MADRE MESA AND NORTH DECATUR DR (LAS VEGAS, NV)

IT IS UNKNOWN WHAT THE CHILD WAS LAST SEEN WEARING.

MAY BE CARRYING A BACKPACK WITH PERSONAL BELONGINGS

IF YOU HAVE ANY INFORMATION PLEASE CONTACT THE NUMBERS LISTED BELOW

Las Vegas Metro Police (702) 828-3111
Nevada Child Seekers (702) 458-7009

MISSING JUVENILE

Sent: 2019-07-12 @ 09:46 Case: 21205 Author: ME/NCS

NIC #

Last Name CORNELL

First Name ISABELLA

Nickname BELLA

Alias

Age 15

Gender FEMALE

Height 5'4

Weight 130 LBS

Eyes BROWN

Hair BROWN

Complexion

Race AFRICAN AMERICAN

BirthDate

Last Contact JULY 4, 2019

Marks



CHILD WAS LAST SEEN IN THE AREA OF MADRE MESA AND NORTH DECATUR DR (LAS VEGAS, NV)

IT IS UNKNOWN WHAT THE CHILD WAS LAST SEEN WEARING.

MAY BE CARRYING A BACKPACK WITH PERSONAL BELONGINGS

IF YOU HAVE ANY INFORMATION PLEASE CONTACT THE NUMBERS LISTED BELOW

Las Vegas Metro Police (702) 828-3111
Nevada Child Seekers (702) 458-7009


Happy Birthday
Councilman Cedric Crear